



## **MINUTES OF A MEETING OF THE INFRASTRUCTURE, SAFETY AND GROWTH SCRUTINY COMMITTEE HELD ON 21st NOVEMBER 2023**

**PRESENT:** Councillor C Dean (Chair), Councillors B Clarke, J Oates, B Price, R Pritchard and L Smith

**CABINET:** Councillor Thomas Jay  
Councillor Samuel Smith  
Councillor Martin Summers

The following officers were present: Anna Miller (Assistant Director – Growth & Regeneration), Joanne Sands (Assistant Director Partnerships), Thomas Hobbs (Head of Economic Development and Regeneration), Laura Patrick (Senior Regeneration Officer), Leanne Costello (Senior Scrutiny and Democratic Services Officer) and Tracey Smith (Democratic Services Assistant)

### **49 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Jones and R Claymore.

### **50 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **51 UPDATE FROM THE CHAIR**

The chair apologised that there no minutes to approve and advised that the minutes of the previous two minutes have now been published and would be brought to the next meeting for approval.

The chair updated the committee that the first meeting of the housing repairs working group had met and made a good start. The Officer who attended had been requested to provide some more information.

### **52 RESPONSES TO REPORTS OF THE INFRASTRUCTURE SAFETY & GROWTH COMMITTEE**

The chair advised the committee that further to the meeting of the Committee on the 17<sup>th</sup> October they attended Cabinet on the 9<sup>th</sup> November to present Scrutiny's recommendation with regards to the Off Street Parking item and Cabinet were happy to approve the

recommendation. The chair thanked the committee for their contribution to this item.

**53 CONSIDERATION OF MATTERS REFERRED TO THE INFRASTRUCTURE SAFETY & GROWTH COMMITTEE FROM CABINET OR COUNCIL**

None.

**54 NATURE RECOVERY DECLARATION**

The chair welcomed the Deputy Leader of the Council and the Assistant Director Growth and Regeneration to introduce the report of the Leader of the Council to declare that nature is in crisis and to commit to the recovery of nature across the Borough and wider Staffordshire.

The Deputy Leader introduced the Assistant Director who highlighted the following information –

- The Nature Recovery Declaration is similar to the climate change emergency declaration made by the Council in 2019.
- The declaration would obligate the Council to take action to address nature recovery across the borough in all its operations, policies and activities.
- Nature is in crisis – 41 of wild species are in decline and 15% are facing extinction.
- Through the environment act the Government has made a commitment for itself and Local Authorities to try and halt, and then reverse the decline. And then look to improve.
- Expected to address the four key principles of the Lawson Report (2010)
- The wildlife Trust have been involved in writing the report and the Staffordshire Sustainability board is interested and asking authorities to take action.
- The Local Nature Recovery Strategy – the Government is funding key authorities to deliver this, including Staffordshire County Council who have set up a working group which officers have been invited to. They have until March 2025 to get a local nature recovery strategy in place. This will be Staffordshire wide and the borough will need to do some more local work. There is some Defra money available to help the Council look at biodiversity net gain.
- Tamworth did do some work 2 years ago in the area which is attached in Appendix two.
- Biodiversity net gain – we already do this through local plan policies, but it is now enshrined in legislation that we must apply to certain applications. The expectation is that there is better wildlife at the end of a development than there was at the beginning.

- The declaration sets out the key requirements including '30 by 30' which sets out managing at least 30% of council-owned greenspaces for the benefit of Wildlife, tree planting, road verges and protected and designated landscapes.
- The declaration also highlights who would be responsible for monitoring this which includes this committee.

The committee made the following comments/observations and asked the following questions:

1. The chair stated that they were pleased to see this coming forward, as a densely built-up area it would be easy for the borough to say its not their responsibility but there is still work they can do.
2. The committee acknowledged the importance of key partnerships and asked the acting Leader if they would commit to ensuring that the council was represented at The Staffordshire Sustainability Board meetings?  
The acting leader agreed with the comments and committed to ensure that this was attended.
3. How would progress be reported on?

The officer highlighted the responsibilities which were included at the end of the declaration in appendix one including this committee receiving regular updates.

4. Concerns around how we embed the strategy in the day-to-day operations of the Council and how we ensure that this is not used as an excuse to not maintain areas?  
The officer confirmed that some work was already being done under other titles such as open spaces maintenance however there will need to be a mindset change to encompass nature recovery. Whilst some of the work does sit under the Assistant Direct, Growth and Regeneration, the lead Assistant Director is coming in new to the post so they will be managing the operation, but the Council needs to be really clear about what they want to achieve and why and that is where the committee can play an important role.
5. Can we not deliver against BNG legislation earlier rather than wait for the pushed back deadline.  
The officer confirmed that we already deliver biodiversity net gain through the Local Plan policy however as we don't have any applications that require it through the legislation at the moment, we haven't lost out by the Governments changed deadlines. Whilst the Council are ready to receive applications the industry itself needs to be ready. The council are looking at whether they could as a landowner accommodate some of the BNG offsetting.

**RESOLVED** That Committee:

Supports the Borough Council making a Nature Recovery Declaration (as at Appendix 1 of the report).

*(Moved by Councillor B Clarke and seconded by Councillor L Smith)*

## 55 ENVIRONMENTAL CRIME POLICY UPDATE 2023

The chair welcomed the Portfolio Holder for Community Safety and Environmental Health, the Assistant Director, Partnerships and Chief Inspector Rob Neeson to discuss the report of the Portfolio Holder for Environmental Health and Community Partnerships to consider proposals for amendments to environmental crime fixed penalty levels outlined in the Government ASB Action Plan.

The Portfolio Holder introduced the item explaining that in May the Government introduced a new anti-social behaviour action plan which enables the council to review their policies and highlighted the following information –

- The penalties for fly-tipping and littering have been increased including for fly-tipping up to a maximum of £1000, there are instances where the Council can still take people to court, where they could possibly face imprisonment.
- Environmental cameras are now live on Masefield Drive and we are now considering where else they can be installed.

The Assistant Director asked that the committee to consider the issue of penalties first.

The committee made the following comments/observations and asked the following questions:

1. The committee highlighted that there are domestic and commercial fly-tipping but also fly-tipping that links to organised crimes and that the maximum penalty should be used for these actions.
2. Why have the Littering, Graffiti and Fly-posting items been categorised together?  
The Officer confirmed that they are treated as separate things but are together as in the Environment Crime Policy the fines are the same level.
3. How many cameras are in place? Are they covert and have they been advertised.  
Officers clarified that there are six deployable cameras (one at each site) and the Masefield Drive area was chosen as it is a littering hotspot. A

press release has gone out. There are signs in place and leaflets have gone out. The cameras are overt.

A second camera has just gone up in Tinkers Green and another hot spot has been identified which they are looking at. They are looking at a litter cam on the old A5 and working with Highways around how this could be done. This would be used to identify items thrown from cars and identify the car to issue fixed penalties.

The cameras are battery powered and footage is fed straight back to a laptop and can also be used to address other forms of ASB.

4. The committee highlighted that the council need to consider the bureaucracy around the bulky waste service available to residents (an example of the service not taking corner sofas was given) to encourage people to use the service.
5. With regards to the 'Duty of Care' it can be cheaper for people to contact a 'man in a van' and pay the fine, than to arrange a skip to dispose of waste so this needs to be considered when setting fines and also look at making legal ways of disposing of waste affordable.

The officer clarified the duty of care is around households being responsible for ensuring that those disposing of their waste has a valid waste carriers licence.

6. The committee noted that according to the statistics for over 1100 actions the council had only issued one fixed penalty for fly tipping.  
The portfolio Holder commented that the new Community Impact Officers should help with prosecutions.
7. How do we support people with mobility issues to dispose of waste legal?  
The officer confirmed that the options would be waste disposal services which will incur a fee.
8. The committee highlighted that education was important, however that this should not be over the top as this is something that people may not do often. The fines should also act as a deterrent to repeat behaviour.
9. What happens after fining people? Is it communicated the fine has been made.

Officers confirmed that the issuing of a fix penalty notice is advertised. If the fine is paid, this negates the criminal activity, if the fine is unpaid then the council proceeds to prosecution which then incurs a higher fine and budget on the Council.

10. If fees are increased to the maximum, do we also have to issue the maximum fine and can the council exercise discretion when issuing fines?  
For example, if someone is seen dropping litter, can they be given the opportunity to pick it up before they are issued the fine?  
The officer confirmed that this is a good practise point of view and the council can use discretion to issue warnings.

**RESOLVED** That Committee:

1. Considered the proposals for environmental crime outlined in the Government Plan;
2. Endorsed proposals for the unchanged fixed penalty levels for Tamworth in relation to littering, graffiti, flyposting pending further review;
3. Endorsed proposals for the fixed penalty level for fly-tipping to increase to the maximum level of £1000 (early payment £500) in line with the ASB Action Plan;
4. Endorsed the introduction of the default penalty charges for household waste duty of care offences in line with the ASB Action Plan;
5. Endorsed delegation to the Portfolio Holder Environmental Health and Community Partnerships to include environmental crime in the review of the Corporate ASB policy by March 2024 and report on wider implications.

*(Moved by Councillor B Clarke and seconded by Councillor L Smith)*

An Addition recommendation was moved that:

6. We set all of the fines at a maximum level

*(Moved by Council R Pritchard and seconded by Councillor L Smith)*

The Committee requested that a review of the bulky waste service be added to the workplan.

The Officer moved on to the verbal Community, Safety update and highlighted the following –

- To make new members aware that following a motion at Cabinet the community safety reports comes to the Infrastructure, Safety and Growth Scrutiny Committee for Scrutiny annually in March but that they wanted to give Scrutiny an opportunity to look at the work being done and decide if they wanted to see any specific items or whether a more regular update was required by the committee.
- The Community safety Group is required by law.
- There is an outline plan for 2023-2026 as well as a work plan.

The Chief Inspector added the following –

- Anti-social behaviour in Tamworth is down 26% however as this figure may not be a true reflection as some of these incidents have turned in to other crimes such as harassment and the way things are recorded has changed.
- Theft of motor vehicles is a big issue in the area, but this is being address and they have seen a reduction of around 10%
- Knife crime – possession of an offensive weapon has increased, this could be due to an increase in prosecutions. Also legislation has changed around what is considered a knife crime so this may have distorted the figures.

The Committee made the following comments/observations and asked the following questions:

1. Has the introduction in Ring doorbells helped?  
Although the footage may not help the Police as offenders may often wear scarves etc, it may mean that residents may are able to see people on their driveways before any crime has been committed.
2. The Committee highlighted that uploading evidence from images captured for the Police can be very difficult within the given timescales and can hold up investigations.  
The Chief Inspector agreed to raise and look at whether more clear instructions need to be made available.
3. The Committee agreed that they would like to see a twice yearly community safety update.

Councillor J Oates left the meeting at 19:11.

## **56 WORKING GROUP UPDATES**

The following updates were shared –

Migrant Travelling Community Group: a meeting has been arranged for Monday 27<sup>th</sup> November at 6pm.

Facilities for HGV Drivers in Tamworth: Councillor Clements was the lead on this therefore a new group will be arranged. There are looking at three work streams. The confirmed they were happy to join this group.

## **57 FORWARD PLAN**

There were no new items identified by the committee.

## **58 INFRASTRUCTURE SAFETY & GROWTH SCRUTINY COMMITTEE WORK PLAN**

The chair highlighted the work plan layout had been amended slightly.

The items for next meetings on the 17<sup>th</sup> January are the Future High Streets and Dual Stream recycling quarterly update, and if Officers can attend more information on Plastic Pollution.

The committee has been asked to add the review of the new Heritage Engagement Officer post after 6 months.

The committee were happy with the plan.

## **59 EXCLUSION OF THE PRESS AND PUBLIC**

That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

*(Moved by Councillor B Price and seconded by Councillor B Clarke)*

## **60 ELECTRIC VEHICLE CHARGING STRATEGY**

The report of the Portfolio Holder for Housing and Planning / Assistant Director, Growth and Regeneration to present a draft Public Electric Vehicle infrastructure strategy for Tamworth, whilst providing an update on current electric vehicle workstreams.

It was noted that Councillor Pritchard declared a non-pecuniary interest as the Cabinet Support Member for Highways at Staffordshire County Council. Councillor Pritchard still took part in the debate on this item.

**RESOLVED** That the Committee:

Endorsed the update against progress of key work streams for Electric Vehicle Charging Infrastructure.

*(Moved by Councillor B Clarke and seconded by Councillor L Smith)*

Chair

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