

Questions under Procedure Rule 11.2 for Council

Q1. Question from Councillor Rushton to the Cabinet Member for Waste, Recycling, Ecology and Climate Change

“Can you please provide the council a monthly breakdown of fly-tipping incidents reported to Lichfield District Council over the last 24 months, accompanied by a number of how many of these incidents resulted in Fixed Penalty Notices (FPNs) being issued?”

Response from the Cabinet Member for Waste, Recycling, Ecology and Climate Change

“A breakdown of the requested data is included at appendix 1. Fly tipping offences are notoriously difficult to investigate and to identify a suspect. Unless there is evidence within the waste, or someone has witnessed the offence, there are usually no leads to go on.

Due to the severity of the offence our starting point for fly tipping offences is prosecution. Therefore, a fixed penalty notice is only issued for minor offences with limited aggravating factors and after careful consideration of the facts. Data relating to prosecutions is therefore also included.

Sometimes officers are unable to identify a suspect for the fly tipping offence but can evidence that the waste was generated by a particular business or household. In those circumstances action can be taken against them, by prosecution or fixed penalty, and these are called waste duty of care offences. Data relating to those offences is also included.

Officers are keen to use novel tactics to reduce fly tipping offences and to identify suspects. On 11 Dec 23, some of our environmental health officers deployed to Warwickshire in order to seize a vehicle that they believe to have been used in the commission of offences in Lichfield District. Without warning they arrived at the suspects place of work, with a recovery vehicle and police support, and seized the vehicle to prevent further offending whilst the offences are investigated.

Academic research* has demonstrated that the fear of being caught, and the fear of the subsequent penalty, is what deters the majority of people from fly tipping. Raising that deterrent by exploiting enforcement action through the media is key to our approach. Officers will do a press release when enforcement action is taken, and Cllrs can help by sharing publicity to ensure that the action reaches the broadest audience.

* Webb et al (2006) Fly-tipping: Causes, Incentives, and Solutions: A Good Practice Guide for Local Authorities. London: DEFRA and Jill Dando Institute.”

Q2. Question from Councillor Ball to the Cabinet Member for Housing & Local Plan

“At the Council meeting on 17th October, I proposed an amendment to one of the recommendations, as follows: ‘and set out a clear timetable for a new Local Plan to be established as quickly as possible and well in advance of 2029.’ Councillor Farrell accepted this amendment and the Council unanimously voted in favour of it. So, I would like to ask Councillor Farrell why he has as yet not provided the clear timetable for a new Local Plan.”

Response from the Cabinet Member for Housing & Local Plan

“Since the last Full Council meeting officers have undertaken the work to withdraw the Local Plan 2040 and have started work to inform a new local plan including consideration of the timetable. The Council is required to formally set out a timetable for its local plan through the publication of a Local Development Scheme (LDS). The updating of which is required to be considered by Cabinet which will be done in the new year alongside an update on the local plan. The timetable will demonstrate that the new local plan will be delivered before 2029 and will reflect the government’s proposed new timeframe which aims for local plans to be delivered in around 30 months. Where possible I would like to bring that 30-month target down and deliver a plan sooner.”

Q3. Question from Councillor P Taylor to the Cabinet Member for High Streets & Visitor Economy

“Further to the Council's promotion of Visit Lichfield's 'Have a Magical Christmas' campaign, I note with disappointment the lack of Burntwood businesses on the website. Of the many listings, it seems there significantly fewer than from Lichfield City. Can the cabinet member provide a breakdown of the number of businesses located in each District Council Ward that are listed on the website, and those that are involved with the 'Have a Magical Christmas Campaign'?”

Response from the Cabinet Member for High Streets & Visitor Economy

“The Magical Christmas Campaign was promoted via LDC’s business databases which contain contact details for over 4000 businesses across the District. Businesses were encouraged to either upload their events directly themselves to the Visit Lichfield website, or send through their information to the Communications Team. The Team are also proactively uploading events as they are made aware of them via other communications activities. We’d very much welcome Councillors from across the District sending through details of any further events so that we can promote as many independent traders and festive events in Lichfield District as possible.

A full list of events currently promoted via the Magical Christmas Campaign will be made available by the end of play Wednesday.”

Q4. Question from Councillor Bragger to the Cabinet Member for High Streets & Visitor Economy

"I have been pleased to see occasions when staff stop and explain the rules to motorists entering the pedestrianisation zone however most of the time I walk in the City Centre I see motorists ignoring the rather confusing rules.
What are the Council's plans to further publicise the rules and location of alternative disabled parking?
Have all taxi firms been informed of the rules and how it applies to them?
Have those business with pavement licences now been told that they can continue using pavement furniture when disabled and delivery drivers have access to the city centre?"

Response from the Cabinet Member for High Streets & Visitor Economy

“What are the Council's plans to further publicise the rules and location of alternative disabled parking?”

Engagement with all road users continues to take place - as of 23 November 2023 security personnel have been introduced at the Tamworth & Bird Street gateways into the pedestrianised zone from 09:00 to 17:00, Thursday to Sunday each week. Their brief is to allow entrance to road users that are permitted access whilst also engaging with all other drivers with a particular focus on ensuring Blue Badge holders are fully aware of the restrictions and directed to the alternative parking provisions, this will continue through to the New Year. Printed copies of maps are being made available to drivers in the city as well as quantities being issued to local care homes for when family members are visiting. An electronic PDF version of the parking map is also being made available to organisations to share with their users if requested. The pedestrianisation and car parking web pages on LDC's website also has information for Blue Badge holders. The installation of the digital car parking signage will also be able to advise drivers in the city to Blue Badge spaces.

Have all taxi firms been informed of the rules and how it applies to them?

Meetings have taken place with representatives of taxi drivers, including a site visit to an originally requested alternative siting for the night time rank to be outside the old library. Due to the preferred start time being 6.30pm here, it is not possible to use this place due to the running of bus transport until 20.30. Consultation with taxi and private hire representatives is ongoing at a pace to establish an alternative location which ideally would not require taxis to drive through the city centre. Taxi and private hire vehicles are subject to the restrictions and times of operations listed during the Experimental Traffic Regulation Order.

Have those business with pavement licences now been told that they can continue using pavement furniture when disabled and delivery drivers have access to the city centre?

There are a number of premises placing street furniture outside in the pedestrianised zone and can continue to do so at all times. The aim of the Experimental Traffic Regulation Order is to make the city even more vibrant, welcoming and attractive to visitors and shoppers, we are presently working with all stakeholders to achieve this.”

Appendix 1: LDC Fly Tipping Data Jan 22 to Dec 23 2022

Month	Fly tipping offences cleared	Fly tipping offences investigated	Fly tipping fixed penalty notices issued (£400)	Fly tipping prosecutions and outcome	Fly tipping investigations likely to result in prosecution (month investigation started)	Waste duty of care fixed penalty notices issued (£300)	Waste duty of care prosecutions and outcome	Waste duty of care investigations likely to result in prosecution (month investigation started)
Jan	47	7		1 pleaded not guilty and pending trial				
Feb	26	8						
Mar	34	7						
Apr	23	15						
May	36	10						
Jun	16	9						
Jul	25	7						
Aug	31	10				1 not paid so prosecuted and convicted		
Sept	31	14						
Oct	27	9						
Nov	32	10						
Dec	12	4		1 pleaded not guilty and pending trial			1 pleaded not guilty and pending trial	
Total	340	110	0	2	0	1	1	0

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Jan	32	4				1 paid		
Feb	23	15				1 paid		
Mar	30	14			1			
Apr	18	10			1			
May	29	15	1 paid		1			1
Jun	18	16						
Jul	21	6						
Aug	12	10			2			1
Sept	10	7						
Oct	10	8			1	2 paid	1 pending first hearing	1
Nov	Pending data	12					1 convicted	1
Dec	Pending data	1 to 8 Dec	1 pending payment			1 pending payment		
Total	203	117	2	0	6	5	2	4