

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER  
**TO:** BARROWFORD & WESTERN PARISHES COMMITTEE  
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**Report Author:** David Walker  
**Tel. No:** 01282 661746  
**E-mail:** david.walker@pendle.gov.uk

**ENVIRONMENTAL CRIME UPDATE**

**PURPOSE OF REPORT**

To inform Members of the Environmental Crime action from the 1<sup>st</sup> October to the 31<sup>st</sup> December 2015 in the Barrowford area, (including spend on litter/ dog waste bins) along with annual totals for 2015/16, and to ask for feedback on any problems with substations in the committee area.

**RECOMMENDATIONS**

- (1) To note the report on environmental crime actions.
- (2) To provide feedback on any problems with substations in the committee area.

**REASONS FOR RECOMMENDATIONS**

- (1) Members are kept informed of any environmental crime action taken.
- (2) To bring problems to the attention of Environmental Services in order to help remedy any substation sites.

**ISSUE**

**Section 215 notices**

Section 215 of the Town and Country Planning Act 1990 allows a local authority to serve a notice on the owners and occupiers of land, requiring the site to be tidied up if the condition of any land is in such a state as to adversely affect the amenity of the neighbourhood.

**Section 215s pending**

The Section 215 process was started on the following 2 properties during October to December 2015.

IDNO	ADDRESS	COMMITTEE	COMMENCED
28754	22 John Street, Barrowford, Nelson, Lancashire, BB9 6HZ	Barrowford	25/11/2015

28872	7 Park Street, Barrowford, Nelson, Lancashire, BB9 6HX	Barrowford	09/12/2015
		<b>Total</b>	<b>2</b>

### **Section 215s completed**

There was 1 property dealt with under Section 215 that was cleared in the process and completed during October to December 2015.

IDNO	ADDRESS	COMMITTEE	COMMENCED
28754	22 John Street, Barrowford, Nelson, Lancashire, BB9 6HZ	Barrowford	25/11/2015
		<b>Total</b>	<b>1</b>

### **Section 215 completed by Legal**

There were no section 215 notices commenced by Legal during this period.

### **Section 46 Notices**

Section 46 of the Environmental Protection Act (EPA) 1990 allows a waste collection authority to specify how waste is presented for collection, i.e. require an occupier to place waste for collection in receptacles of a kind and number specified. This is used to enforce separation of waste for recycling and also for the removal of containers from the public highway following the scheduled collection of waste.

There were 0 Section 46 Notices issued by Environmental Services between October and December 2015.

### **Section 79 Notices**

Section 79 of the Public Health Act 1936 allows a Local Authority to serve notice where the owner of the land / property has accumulated noxious matter i.e. food waste and the notice gives the owner 24 hours to remove the waste. On failure to act upon the Notice the Local Authority can remove the waste and recover the expenses of any actions taken.

There were 0 Section 79's carried out by Environmental Services between October and December 2015.

### **Community Protection Notice**

CPN's can be used by the Council to target those responsible for specific ongoing problems or nuisance which negatively affects the quality of life in a community. Examples of behaviour covered by CPN's include owners allowing dogs to persistently stray and or cause a nuisance, owners of dogs persistently allowing dogs to foul without then removing the waste and vehicle repair garages parking vehicles for repair on residential streets.

The following actions were undertaken via a Community Protection process by Neighbourhood Services between October and December 2015.

Under Investigation	1
Statutory Warning	
Letter	1
Resolved after warning	1
Notice	1

## **Fixed Penalty Notices**

The Council has various powers to issue Fixed Penalty Notices (FPN) for offences such as littering, failure to remove dog fouling, graffiti and fly tipping.

There were 6 Fixed Penalty Notice's served in the period between October and December 2015 in the Barrowford area by Environmental Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
28458	Parking spaces behind, Gladstone Terrace, Barrowford	Barrowford	02/10/2015	FPN - Dog Fouling
28482	Bull Holme Playing Fields, Wilton Street, Barrowford, Nelson, Lancashire	Barrowford	06/10/2015	FPN - Dog Fouling
28604	Lemon Beautique, 14 Lee Street, Barrowford, Nelson, BB9 8NP	Barrowford	27/10/2015	FPN - Duty of Care
28497	Cadogen Street, Barrowford	Barrowford	09/10/2015	FPN - Litter from a vehicle
28649	Cadogen Street, Barrowford, Lancashire	Barrowford	04/11/2015	FPN - Litter from a vehicle
28816	Barrowford Road, Fence, Lancashire	Barrowford	02/12/2015	FPN - Littering
		<b>Total</b>	<b>6</b>	

## **Annual Summary of Environmental Crime Actions for 2015/16**

	S215 pending	S215 closed	Sec 46	Sec 79	Fixed penalty notices					Total
					FPN Dog	FPN Sec 46	FPN Litter	FPN Vehicle	FPN Duty of Care	
Barrowford	6	3	1	0	2	0	1	3	2	8

The table above summarises the total number of actions taken by Environmental Services in 2015.

## **Provision of litter / dog waste bins**

Members approved a total allocation for £682.00 inclusive of slippage from 2014/15. Members are advised that at the start of the quarter £352.00 remained unspent. A total of £165.00 was spent during quarter three and £187.00 now remains in the budget.

AREA	DESCRIPTION	BIN	COST PER BIN
ROUGHLEE	NEW F/S LITTER BIN AT END OF FOOTPATH-OPP SIDE TO CLARION	F/S	165.00

Members are advised that due to wear or damage 5 bins have been replaced by Environmental Services at no cost to the areas committee budget within the period October to December 2015.

AREA	DESCRIPTION	BIN	COST PER BIN
FENCE	REPLACE POST MOUNTED LITTER BIN OPP THE FENCE GATE INN	LITTER	£143.39
FENCE	REINSTATE DOG BIN ON POST NR PENDLE FOREST SPORTS CLUB	DOG	£20.00
NEWCHURCH	RE-ATTACH DOG BIN TO POST AT END OF TERRACE	DOG	£20.00
BARROWFORD	RE-FIX EXISTING DOG BIN AT SIDE OF NO. 60	DOG	£0.00
FENCE	REPLACE POST AND REFIX NEW DOG BIN TO POST	DOG	£135.74

### **Substation Sites**

Following the scrutiny review of Litter and Detritus carried out in 2008, all area committees are encouraged to report if there are any substations within their area that may need tidying up. Members are asked to provide location details of any substations that are causing a problem with litter and/or fly tipping to Environmental Services.