

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

DATE: 10th November 2016

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 1st July to the 30th September 2016 in the Barrowford area, (including spend on litter/ dog waste bins) along with annual totals for 2016/17, 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 property during July to September 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED
31071	1 Ford Street, Barrowford, Nelson, Lancashire, BB9 6JF	Barrowford	18/07/2016
31174	7 May Street, Barrowford, Nelson, Lancashire, BB9 8NZ	Barrowford	26/07/2016
31226	47 Nora Street, Barrowford, Nelson, Lancashire, BB9 8NS	Barrowford	28/07/2016
31487	9 Oaklands Avenue, Barrowford, Nelson, Lancashire, BB9 8QL	Barrowford	12/08/2016
31585	11 Gisburn Road, Barrowford, Nelson, Lancashire, BB9 8NB	Barrowford	25/08/2016
		Total	5

Section 215s completed

There were 5 properties dealt with under Section 215 that were cleared in the process and completed during July to September 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
30726	6 Bedford Street, Barrowford, Nelson, Lancashire, BB9 6DA	Barrowford	27/06/2016	25/07/2016
31174	7 May Street, Barrowford, Nelson, Lancashire, BB9 8NZ	Barrowford	26/07/2016	11/08/2016
31226	47 Nora Street, Barrowford, Nelson, Lancashire, BB9 8NS	Barrowford	28/07/2016	23/08/2016
31071	1 Ford Street, Barrowford, Nelson, Lancashire, BB9 6JF	Barrowford	18/07/2016	06/09/2016
31487	9 Oaklands Avenue, Barrowford, Nelson, Lancashire, BB9 8QL	Barrowford	12/08/2016	09/09/2016
		Total	5	

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 3 Section 46 Notices issued by Environmental Services between July and September 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED
31145	26 Carr Hall Road, Barrowford, Nelson, Lancashire, BB9 6BX	Barrowford	26/07/2016

31147	19 Sandy Lane, Barrowford, Nelson, Lancashire, BB9 8NY	Barrowford	26/07/2016
31151	16 Garnett Street, Barrowford, Nelson, Lancashire, BB9 8PA	Barrowford	26/07/2016
		Total	3

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 no Section 79's carried out by Environmental Services between July and September 2016.

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 July and September 2016.

Quarter 1 Actions	Barrowford & Western Parishes
Statutory Warning Letter	1

Description	Action
Negotiating methods to control dogs on farm	Warning Letter Served

The table below identifies the total number of cases, including active cases, received since the CPN process began in February 2015:

Current	BWP
Under Investigation	4
Resolved before warning	1
Statutory Warning Letter	1
Resolved after warning	1
Notice	0
Resolved after notice	2
In breach of Notice	0
Prosecution	0
Total Actions	9

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 3 Fixed Penalty Notices served in the period between July and September 2016 in the Barrowford area by Environmental Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
31096	Forest Avenue, Fence	Barrowford	22/07/2016	FPN - Dog Fouling
31744	Garages opposite Mount Street, Barrowford, Nelson	Barrowford	09/09/2016	FPN - Duty of Care
30973	Gisburn Road, Barrowford	Barrowford	11/07/2016	FPN - Litter from a vehicle
		Total	3	

Annual Summary of Environmental Crime Actions for 2016/17

S215 pending	S215 closed	Sec 46	Sec 79	Fixed penalty notices			
				FPN Dog Fouling	FPN Litter from a vehicle	FPN Duty Of Care	Total
6	5	4	0	2	2	1	5

The table above summarises the total number of actions taken by Environmental Services in 2016.

Provision of litter / dog waste bins

Members approved a total allocation for £187.00 inclusive of slippage from 2016/17. Members are advised that after Quarter 1, there was a remaining balance of £147.00. A further £313.00 was allocated to the budget in July, therefore £460.00 was brought forward to Quarter 2. Members are advised that there were 2 bins placed out/removed during July to September. The total spend in Quarter 2 was £146.52, leaving a remaining total of £313.48.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
GISBURN RD, BLACKO	ERECT NEW DOG BIN AT BOTTOM OF GUINNEL TO SCHOOL	DOG	106.52
GISBURN RD. BLACKO	RELOCATE LITTER BIN AT BUS STOP ACROSS FROM THE SCHOOL AND SITE FURTHER ON RD ON SAME POST AS DOG BIN ACROSS FROM BEVERLEY ROAD	LITTER	40.00

Members are advised that due to wear or damage 1 bin has been replaced by Environmental Services at no cost to the areas committee budget within the period July to September 2016.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Colne Road, Barrowford	To replace the dog bin post	DOG	20.00

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.