

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: BRIERFIELD & REEDLEY COMMITTEE

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st October to 31st December 2016 in the Brierfield and Reedley 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 and Recreation 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 11 properties during October to December 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED
31973	26 Sackville Street, Brierfield, Nelson, Lancashire, BB9 5LE	Brierfield	04/10/2016
32021	26 Chapel Street, Brierfield, Nelson, Lancashire, BB9 5HJ	Brierfield	07/10/2016
32045	2 Ann Street, Brierfield, Nelson, Lancashire, BB9 5SD	Brierfield	11/10/2016
32246	44 Essex Street, Barnoldswick, Lancashire, BB18 5DT	Brierfield	09/11/2016
32294	63 Halifax Road, Brierfield, Nelson, Lancashire, BB9 5BY	Brierfield	18/11/2016
32319	152 Halifax Road, Brierfield, Nelson, Lancashire, BB9 5BH	Brierfield	24/11/2016
32371	Land at Robinson Lane (Prev Sewage Works) Brierfield	Brierfield	01/12/2016
32382	Land Richard Street, B1tnrierfield	Brierfield	02/12/2016
16/0235/S215ES	Pendle View Service Station Colne Road, Brierfield, Lancashire BB9 5NP	Brierfield	08/12/2016
16/0252/S215ES	7 Cambridge Street Brierfield, Nelson, Lancashire BB9 5LP	Brierfield	15/12/2016
16/0253/S215ES	9 Cambridge Street Brierfield, Nelson, Lancashire BB9 5LP	Brierfield	15/12/2016
		Total	11

Section 215s completed

The following 27 properties was dealt with under Section 215, but were cleared and the process completed during the period October to December 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
30809	18 Chapel Street, Brierfield, Nelson, Lancashire, BB9 5HJ	Brierfield	29/06/2016	07/10/2016
31578	2 Taylor Street, Brierfield, Nelson, Lancashire, BB9 5RY	Brierfield	25/08/2016	07/10/2016
31876	6 John Street, Brierfield, Nelson, Lancashire, BB9 5NU	Brierfield	22/09/2016	10/10/2016
31878	4 John Street, Brierfield, Nelson, Lancashire, BB9 5NU	Brierfield	22/09/2016	11/10/2016
29880	5 Oxford Street, Brierfield, Nelson, Lancashire, BB9 5LN	Brierfield	05/04/2016	12/10/2016
31224	29 Commercial Street, Brierfield, Nelson, Lancashire, BB9 5HH	Brierfield	28/07/2016	12/10/2016
31657	22 Montague Street, Brierfield, Nelson, Lancashire, BB9 5LJ	Brierfield	02/09/2016	14/10/2016

30628	5 Timber Street, Brierfield, Nelson, Lancashire, BB9 5NR	Brierfield	22/06/2016	21/10/2016
31412	38 Colne Road, Brierfield, Nelson, Lancashire, BB9 5NS	Brierfield	11/08/2016	21/10/2016
31692	Land rear, 13 & 13a Burnley Road, Brierfield, Nelson, Lancashire, BB9 5HX	Brierfield	07/09/2016	21/10/2016
31431	17 Railway View, Brierfield, Nelson, Lancashire, BB9 5NZ	Brierfield	12/08/2016	25/10/2016
31453	15 Bank Street, Brierfield, Nelson, Lancashire, BB9 5RJ	Brierfield	12/08/2016	25/10/2016
31946	Eaton House, 8a Albion Street, Brierfield, Nelson, BB9 7LG	Brierfield	30/09/2016	25/10/2016
31433	12 Hope Street, Brierfield, Nelson, Lancashire, BB9 5AX	Brierfield	12/08/2016	26/10/2016
31942	32 Commercial Street, Brierfield, Nelson, Lancashire, BB9 5SG	Brierfield	30/09/2016	26/10/2016
31945	8 Commercial Street, Brierfield, Nelson, Lancashire, BB9 5HH	Brierfield	30/09/2016	02/11/2016
31788	62 Colne Road, Brierfield, Nelson, Lancashire, BB9 5NN	Brierfield	14/09/2016	10/11/2016
32045	2 Ann Street, Brierfield, Nelson, Lancashire, BB9 5SD	Brierfield	11/10/2016	10/11/2016
30807	23 Taylor Street, Brierfield, Nelson, Lancashire, BB9 5RY	Brierfield	29/06/2016	15/11/2016
31973	26 Sackville Street, Brierfield, Nelson, Lancashire, BB9 5LE	Brierfield	04/10/2016	15/11/2016
31660	20 Every Street, Brierfield, Nelson, Lancashire, BB9 5SE	Brierfield	02/09/2016	22/11/2016
31486	13 Bank Street, Brierfield, Nelson, Lancashire, BB9 5RJ	Brierfield	12/08/2016	29/11/2016
32371	Land at Robinson Lane (Prev Sewage Works) Brierfield	Brierfield	01/12/2016	01/12/2016
32382	Land Richard Street, B1tnrierfield	Brierfield	02/12/2016	02/12/2016
32294	63 Halifax Road, Brierfield, Nelson, Lancashire, BB9 5BY	Brierfield	18/11/2016	12/12/2016
32319	152 Halifax Road, Brierfield, Nelson, Lancashire, BB9 5BH	Brierfield	24/11/2016	12/12/2016
32021	26 Chapel Street, Brierfield, Nelson, Lancashire, BB9 5HJ	Brierfield	07/10/2016	21/12/2016
		Total	27	

Section 215 completed by Legal

There were 0 Section 215 notices opened 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 2016.

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 2 Section 79 Notices carried out by Environmental Services between October and December 2016.

IDNO	ADDRESS	COMMITTEE	COMMENCED
31994	96 Burnley Road, Brierfield, Nelson, Lancashire, BB9 5JH	Brierfield	05/10/2016
32064	22 Montague Street, Brierfield, Nelson, Lancashire, BB9 5LJ	Brierfield	14/10/2016
		Total	2

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 2016:

Actions	
Resolved before warning	1
Resolved after warning	1
Total	2

Description	Action
rubbish in yard; throwing rubbish from windows; noise nuisance; drug related activity	Resolved before Warning
Parking vehicle awaiting repair on street	Resolved after Warning

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

Action	
Under Investigation	7
Resolved before warning	6
Statutory Warning Letter	1
Resolved after warning	2
Notice	1
Total Actions	17

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 4 Fixed Penalty Notices served in the period between October and December 2016 in the Brierfield and Reedley area by Environmental Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
32228	Beauty Secrets, 28A Colne Road, Brierfield	Brierfield	04/11/2016	FPN - Duty of Care
32073	rear of cardboard recycling bins B&Q Brierfield	Brierfield	18/10/2016	FPN - Flytipping
32233	B & Q carpark, Brierfield	Brierfield	09/11/2016	FPN - Litter from a vehicle
31955	Bridge connecting Bridge Street to Glen Way, Brierfield	Brierfield	03/10/2016	FPN - Littering
		Total	4	

Annual Summary of Environmental Crime Actions for 2016/17

S215 pending	S215 closed	Sec 46	Sec 79	Fixed penalty notices						
				FPN Community Protection Notice	FPN Duty of Care	FPN Flytip	FPN Micro Chipping of dogs	FPN Litter from a vehicle	FPN Litter	Total
81	104	7	3	1	5	1	1	1	4	13

The table above summarises the total number of actions taken by Environmental Services in 2016/17.

Provision of litter / dog waste bins

Members approved a total allocation of £1,203.00 inclusive of slippage for 2016/17. At the start of Quarter 3 there was a balance of £944.60. Members are advised that 1 bin was placed out/removed during October to December, costing £192.34, leaving a remaining total of £752.26.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Chatburn Park Drive, Brierfield	Remove p/m bin o/s no 3 and erect a new f/s litter bin in its place	Litter	£192.34

Members are further advised that due to wear or damage, 3 bins have been replaced by Environmental Services between October and December at no cost to the area's committee budget.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Hollin Mill Street, Brierfield	To replace F/S litter bin next to the canal	LITTER	172.34
Bowland View, Brierfield	Dog bin needs restanding	DOG	20.00
Holme End, Reedley	Inner is missing in the F/S litter bin in 1st layby	LITTER	56.31

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.