

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER

**TO:** WEST CRAVEN COMMITTEE

**DATE:** 9<sup>TH</sup> MAY 2017

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## ENVIRONMENTAL CRIME UPDATE

### PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st January to 31<sup>st</sup> March 2017 in the West Craven area, (including spend on litter/ dog waste bins) along with the 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 11 properties during January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/0001/S215ES	4 Boot Street, Earby	West Craven	03-Jan-17
17/0010/S215ES	1 Coronation Street, Barnoldswick	West Craven	04-Jan-17

17/0059/S215ES	14 Brogden Street, Barnoldswick	West Craven	17-Jan-17
17/0065/S215ES	23 Clifford Street, Barnoldswick	West Craven	18-Jan-17
17/0071/S215ES	4 Arthur Street, Kelbrook	West Craven	18-Jan-17
17/0094/S215ES	12 Bracewell Street, Barnoldswick	West Craven	26-Jan-17
17/0116/S215ES	22 York Street, Barnoldswick	West Craven	01-Feb-17
17/0175/S215ES	1 Cornmill Place, Barnoldswick	West Craven	21-Feb-17
17/0177/S215ES	13 Rainhall Road, Barnoldswick	West Craven	21-Feb-17
17/0196/S215ES	14 Lower North Avenue, Barnoldswick	West Craven	27-Feb-17
17/0235/S215ES	45 Coates Avenue, Barnoldswick	West Craven	08-Mar-17
<b>Total</b>			<b>11</b>

### **Section 215s completed**

The following 11 properties were dealt with under Section 215, but were cleared and the process completed during January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/0010/S215ES	1 Coronation Street, Barnoldswick	West Craven	04-Jan-17	05-Jan-17
32246	44 Essex Street, Barnoldswick	West Craven	09-Nov 16	16-Jan 17
17/0001/S215ES	4 Boot Street, Earby	West Craven	03-Jan-17	20-Jan-17
17/0065/S215ES	23 Clifford Street, Barnoldswick	West Craven	18-Jan-17	27-Jan-17
17/0094/S215ES	12 Bracewell Street, Barnoldswick	West Craven	26-Jan-17	01-Feb-17
17/0059/S215ES	14 Brogden Street, Barnoldswick	West Craven	17-Jan-17	07-Feb-17
17/0116/S215ES	22 York Street, Barnoldswick	West Craven	01-Feb-17	09-Feb-17
17/0071/S215ES	4 Arthur Street, Kelbrook	West Craven	18-Jan-17	16-Feb-17
17/0175/S215ES	1 Cornmill Place, Barnoldswick	West Craven	21-Feb-17	23-Feb-17
17/0196/S215ES	14 Lower North Avenue Barnoldswick	West Craven	27-Feb-17	10-Mar-17
17/0235/S215ES	45 Coates Avenue, Barnoldswick	West Craven	08-Mar-17	20-Mar-17
<b>Total</b>			<b>11</b>	

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

There were no Section 215's completed by Legal, from 1<sup>st</sup> January till 31<sup>st</sup> March 2017.

## **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 no Section 46 Notices issued by Environmental Services between January and March 2017.

## **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 January and March 2017.

## **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 January and March 2017:

<b>Quarter 4 Actions</b>	<b>WC</b>
Resolved before warning	1
Statutory Warning Letter	1
Resolved after warning	1
Notice	0
Resolved after notice	0
In breach of Notice	0
Prosecution	0
<b>Total</b>	<b>3</b>

<b>Description</b>	<b>Action</b>
Vehicle abandoned on Council land in Croft Street	Resolved before Warning

Dog control	Warning Letter Served
Car parked in Cemetery Road car park for over eighteen months	Resolved after Warning

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

	<b>Barrowford &amp; Western Parishes</b>	<b>Brierfield &amp; Reedley</b>	<b>Colne &amp; District</b>	<b>Nelson</b>	<b>West Craven</b>	<b>Total</b>
Under Investigation	2	11	14	37	0	
Resolved before warning	3	12	22	32	3	
Statutory Warning Letter	2	1	4	18	1	
Resolved after warning	1	1	7	15	3	
Notice	0	2	1	1	0	
Resolved after notice	2	0	2	3	0	
In breach of Notice	0	0	1	0	0	
Prosecution	0	0	0	1	0	
<b>Total Actions</b>	<b>10</b>	<b>27</b>	<b>51</b>	<b>107</b>	<b>7</b>	<b>202</b>

### **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 11 Fixed Penalty Notices served in the period between January and March 2017 in the West Craven area by Environmental Services.

<b>IDNO</b>	<b>ADDRESS</b>	<b>COMMITTEE</b>	<b>COMMENCED</b>	<b>TYPE</b>
17/0074/ECDOCH	Street Record Rainhall Road Barnoldswick	West Craven	11-Jan-17	Duty of Care Household
17/0091/ECFLY	Street Record Rainhall Road Barnoldswick	West Craven	12-Jan-17	FPN Flytipping
17/0294/ECFLY	25 Victoria Road Earby Barnoldswick	West Craven	30-Mar-17	FPN Flytipping
17/0071/ECLITR	Street Record Rainhall Road Barnoldswick	West Craven	11-Jan-17	FPN Littering
17/0173/ECLITR	8 Smith Street Barnoldswick	West Craven	25-Jan-17	FPN Littering
17/0177/ECLITR	12 Post Office Buildings Fernlea Avenue Barnoldswick	West Craven	30-Jan-17	FPN Littering

17/0218/ECLITV	39 Albert Road Barnoldswick	West Craven	20-Feb-17	FPN Littering
17/0281/ECLITR	7 Albert Road Barnoldswick	West Craven	20-Mar-17	FPN Littering
17/0282/ECLITR	Street Record Back Rainhall Road Barnoldswick	West Craven	21-Mar-17	FPN Littering
17/0271/ECPSP0	Hill Crest Manchester Road Barnoldswick	West Craven	09-Mar-17	PSPO Dog Fouling
17/0278/ECPSP1	Wheatlands Cemetery Cemetery Road Earby	West Craven	16-Mar-17	PSPO Dog off a lead
<b>Total</b>			<b>11</b>	

### **Annual Summary of Environmental Crime Actions for 2016/17**

<b>S215 (P)</b>	<b>S215 (C)</b>	<b>Sec 46</b>	<b>Sec 79</b>	<b>Fixed penalty notices</b>							
				<b>FPN Dog Off Lead</b>	<b>FPN Duty of Care House hold</b>	<b>FPN Dog Fouling</b>	<b>FPN Duty of Care</b>	<b>FPN Litter from a vehicle</b>	<b>FPN Fly Tip</b>	<b>FPN Litter</b>	<b>Total</b>
24	27	7	2	1	1	5	1	5	8	15	36

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

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

Members approved a total allocation of £4,598.00 inclusive of slippage for 2016/17. At the end of Quarter 2, there was a balance of £4,385.66. There was no spend during Quarters 3 and 4, therefore the remaining balance is £4,385.66.

Members are further advised that due to wear or damage, 6 bins have been replaced by Environmental Services between January and March at no cost to the area's committee budget.

<b>AREA</b>	<b>DESCRIPTION</b>	<b>BIN TYPE</b>	<b>COST PER BIN £</b>
Kenilworth Drive, Earby	Replace dog bin post by the bus shelter and re-attach the dog bin	DOG	20.00
Wentcliffe Drive, Earby	Replace dog bin post and re-attach dog bin	DOG	20.00
Bank Street, Barnoldswick	Re-attach 1 dog bin to post and replace the other dog bin in full and re-attach to post	DOG	146.52

Church Street, Barnoldswick	Replace the outer of F/S litter bin outside ONE STOP SHOP	LITTER	111.33
Church Street, Barnoldswick	Replace the outer of F/S litter bin by the zebra crossing. Outer has split	LITTER	111.33
Boot Street Car Park, Earby	Remove F/S litter bin at the recycling site	LITTER	40.00

### **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.