

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 January to 31st March 2017 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 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 13 properties during January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/0023/S215ES	555 Colne Road, Brierfield	Brierfield	05-Jan-17
17/0092/S215ES	22 Commercial Street, Brierfield	Brierfield	26-Jan-17
17/0096/S215ES	2 Taylor Street, Brierfield	Brierfield	27-Jan-17
17/0101/S215ES	27 Railway Street, Brierfield	Brierfield	27-Jan-17
17/0102/S215ES	34 Taylor Street, Brierfield	Brierfield	27-Jan-17
17/0109/S215ES	14 Every Street, Brierfield	Brierfield	01-Feb-17
17/0113/S215ES	14 Commercial Street, Brierfield	Brierfield	01-Feb-17
17/0225/S215ES	4 Bank Street, Brierfield	Brierfield	06-Mar-17
17/0226/S215ES	16 Every Street, Brierfield	Brierfield	06-Mar-17
17/0227/S215ES	17 Bank Street, Brierfield	Brierfield	06-Mar-17
17/0236/S215ES	75 King Street Terrace, Brierfield	Brierfield	08-Mar-17
17/0323/S215ES	17 Sackville Street, Brierfield	Brierfield	28-Mar-17
17/0329/S215ES	29 Mansfield Grove, Brierfield	Brierfield	30-Mar-17
Total			13

Section 215s completed

The following 8 properties were dealt with under Section 215, but were cleared and the process completed during the period January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
16/0252/S215ES	7 Cambridge Street, Brierfield	Brierfield	15-Dec-16	04-Jan-17
30394	71 Colne Road, Brierfield	Brierfield	27/05/2016	19/01/2017
16/0235/S215ES	Pendle View Service Station, Colne Road, Brierfield	Brierfield	08-Dec-16	27-Jan-17
16/0253/S215ES	9 Cambridge Street, Brierfield	Brierfield	15-Dec-16	30-Jan-17
30631	14 Commercial Street, Brierfield	Brierfield	22/06/2016	07/02/2017

17/0101/S215ES	27 Railway Street, Brierfield	Brierfield	27-Jan-17	16-Feb-17
17/0236/S215ES	75 King Street Terrace, Brierfield	Brierfield	08-Mar-17	10-Mar-17
17/0225/S215ES	4 Bank Street, Brierfield	Brierfield	06-Mar-17	21-Mar-17
Total			8	

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 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 Notices 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:

Quarter 4 Actions	Brierfield & Reedley
Resolved before warning	6
Statutory Warning Letter	0
Resolved after warning	0
Notice	1
Resolved after notice	0
In breach of Notice	0
Prosecution	0
Total	7

Description	Action
hoarding in two now unoccupied houses	Under Investigation
squatting without consent in the property	Under Investigation
parking cars awaiting repair in street	Under Investigation
condition of rear extension to building	Under Investigation
condition of building and back yard	Under Investigation
condition of building and back yard	Under Investigation
condition of building and back yard	Under Investigation
condition of building and back yard	Under Investigation
condition of building and back yard	Under Investigation
condition of building and back yard	Under Investigation
rubbish on roof	Under Investigation
unattached caravan parked on the front street	Resolved before Warning
offensive graffiti on back wall	Resolved before Warning
offensive graffiti on back wall	Resolved before Warning
nuisance behaviour associated with young men driving on to the car park	Resolved before Warning
fly tipping and litter in car park	Resolved before Warning
car in disrepair parked on the back street	Resolved before Warning
condition of garden; dog nuisance	Community Protection Notice Served

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

Current	Barrowford & Western Parishes	Brierfield & Reedley	Colne & District	Nelson	West Craven	Total
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	
Total Actions	10	27	51	107	7	202

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.

In the period January to March 2017, there was 1 Fixed Penalty Notice served in the Brierfield and Reedley area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/0277/ECFLY	Town Hall Colne Road Brierfield	Brierfield	16-Mar-17	FPN Flytipping

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
94	112	7	3	1	5	2	1	1	4	14

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 £1,203.00 inclusive of slippage for 2016/17. At the start of Quarter 4 there was a balance of £752.26. Members are advised that the approved scheme for Kings Causeway has now been completed at a cost of £350.00, leaving a remaining balance of £402.26.

Members are further advised that due to wear or damage, 2 bins have been replaced by Environmental Services between January and March at no cost to the area's committee budget.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Junction Street, Brierfield	Remove the burnt out litter bin and NOT replace	LITTER	20.00
Holme End, Reedley	Replace the F/S litter bin in layby	LITTER	192.34

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.