

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: BARROWFORD & WESTERN PARISHES COMMITTEE

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action from the 1st January to the 31st March 2017 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

There were 2 Section 215 processes opened during January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/0261/S215ES	14 Lower Clough Street, Barrowford	Barrowford	15-Mar-17

17/0262/S215ES	20 Lower Clough Street, Barrowford	Barrowford	15-Mar-17
Total			2

Section 215s completed

There was 1 property dealt with under Section 215 that was cleared in the process and completed during January to March 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/0261/S215ES	14 Lower Clough Street Barrowford	Barrowford	15-Mar-17	29-Mar-17
Total			1	

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 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:

Quarter 4 Actions	BWP
Resolved before warning	1
Statutory Warning Letter	1

Resolved after warning	0
Notice	0
Resolved after notice	0
In breach of Notice	0
Prosecution	0
Total	2

Description	Action
Aggressive behaviour towards footpath users	Under Investigation
Condition of land	Under Investigation
Condition of the back yard - repeat S215	Resolved before Warning
Cars in a poor state of repair parked adjacent to the highway	Warning Letter 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.

There were 2 Fixed Penalty Notices served in the period between January and March 2017 in the Barrowford area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/0109/ECDOCH	26 Carr Hall Road Barrowford	Barrowford	16-Jan-17	Duty of Care Household
17/0167/ECMCR	Barrowford Health Centre Lee Street Barrowford	Barrowford	24-Jan-17	FPN Microchipping of dogs
Total			2	

Annual Summary of Environmental Crime Actions for 2016/17

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices					
				FPN Dog Fouling	FPN Litter from a vehicle	FPN Micro chipping of dogs	FPN Duty Of Care - Business	FPN Duty Of Care - Household	Total
6	6	6	0	2	3	1	1	1	8

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 for £500.00 inclusive of slippage from 2016/17. Members are advised that at the start of Quarter 4, there was a balance of £313.48. During 1st January to 31st March, £319.56 was spent leaving a remaining deficit of £-6.08.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
St Annes Drive, Fence	Erect new dog bin	Dog	106.52
Old Laund Street, Fence	Erect new dog bin by 5 Bar Gate at end of street	Dog	106.52
Jinny Lane, Newchurch	Erect new dog bin at junc Jinny/Cross Lane	Dog	106.52

Members are advised that due to wear or damage, 7 bins have been replaced by Environmental Services at no cost to the areas committee budget within the period January to March 2017.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Hamilton Street, Barrowford	Reinstate the dog bin at top of street	DOG	20.00
Heights Lane, Fence	Secure post mounted litter bin at bottom of lane	LITTER	20.00
Noggarth Road, Roughlee	To replace the F/S litter bin at bottom of road	LITTER	172.34
Forest Avenue, Fence	Attached the dog bin to chain link fence until the Contractor finishes building new houses	DOG	20.00
The Avenue, Barley	Remove F/S litter bin at the recycling site	LITTER	40.00
Noggarth Road, Fence	Re-attach P/M litter bin to nearest post	LITTER	20.00
Spenbrook Road, Newchurch	Move F/S litter bin opposite church entrance to layby near Douglas Hall kennels	LITTER	60.00

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.