

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 April to 30th June 2017 in the Brierfield and Reedley area, (including spend on litter/ dog waste bins) along with annual totals for 2017/18, 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 22 properties during April to June 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/0345/S215ES	1 Burton Gardens Brierfield Nelson Lancashire BB9 5DR	Brierfield	05-Apr-17
17/0357/S215ES	12 Commercial Street Brierfield Nelson Lancashire BB9 5HH	Brierfield	10-Apr-17
17/0363/S215ES	41 Burnley Road Brierfield Nelson Lancashire BB9 5JR	Brierfield	10-Apr-17
17/0374/S215ES	7 Bank Street Brierfield Nelson Lancashire BB9 5RJ	Brierfield	13-Apr-17
17/0404/S215ES	4 Taylor Street Brierfield Nelson Lancashire BB9 5RY	Brierfield	25-Apr-17
17/0406/S215ES	19 Regent Street Brierfield Nelson Lancashire BB9 5LF	Brierfield	25-Apr-17
17/0407/S215ES	33 Commercial Street Brierfield Nelson Lancashire BB9 5SG	Brierfield	25-Apr-17
17/0409/S215ES	34 Humphrey Street Brierfield Nelson Lancashire BB9 5HQ	Brierfield	25-Apr-17
17/0418/S215ES	Site Of Former 1 Stanley Street Brierfield Lancashire	Brierfield	27-Apr-17
17/0429/S215ES	12 Arthur Street Brierfield Nelson Lancashire BB9 5SQ	Brierfield	03-May-17

17/0488/S215ES	5 Timber Street Brierfield Nelson Lancashire BB9 5NR	Brierfield	18-May-17
17/0498/S215ES	23 Wood Street Brierfield Nelson Lancashire BB9 5AS	Brierfield	19-May-17
17/0514/S215ES	57 Halifax Road Brierfield Nelson Lancashire BB9 5BG	Brierfield	24-May-17
17/0546/S215ES	38 Commercial Street Brierfield Nelson Lancashire BB9 5SG	Brierfield	02-Jun-17
17/0565/S215ES	13 Halifax Road Brierfield Nelson Lancashire BB9 5AE	Brierfield	08-Jun-17
17/0583/S215ES	15 Montrose Street Brierfield Nelson Lancashire BB9 5BZ	Brierfield	09-Jun-17
17/0584/S215ES	16 Garden Street Brierfield Nelson Lancashire BB9 5DA	Brierfield	09-Jun-17
17/0593/S215ES	42 Every Street Brierfield Nelson Lancashire BB9 5SE	Brierfield	12-Jun-17
17/0598/S215ES	7 Timber Street Brierfield Nelson Lancashire BB9 5NR	Brierfield	13-Jun-17
17/0619/S215ES	20 Townley Street Brierfield Nelson Lancashire BB9 5JD	Brierfield	15-Jun-17
17/0646/S215ES	41 Burnley Road Brierfield Nelson Lancashire BB9 5JR	Brierfield	26-Jun-17

17/0647/S215ES	30 - 32 Oxford Street Brierfield Lancashire BB9 5LN	Brierfield	26-Jun-17
		Total	22

Section 215s completed

The following 20 properties was dealt with under Section 215, but were cleared and the process completed during the period April to June 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/0109/S215ES	14 Every Street Brierfield Nelson Lancashire BB9 5SE	Brierfield	01-Feb-17	12-Apr-17
17/0092/S215ES	22 Commercial Street Brierfield Nelson Lancashire BB9 5HH	Brierfield	26-Jan-17	19-Apr-17
17/0374/S215ES	7 Bank Street Brierfield Nelson Lancashire BB9 5RJ	Brierfield	13-Apr-17	19-Apr-17
17/0345/S215ES	1 Burton Gardens Brierfield Nelson Lancashire BB9 5DR	Brierfield	05-Apr-17	20-Apr-17
17/0357/S215ES	12 Commercial Street Brierfield Nelson Lancashire BB9 5HH	Brierfield	10-Apr-17	24-Apr-17
17/0226/S215ES	16 Every Street Brierfield Nelson Lancashire BB9 5SE	Brierfield	06-Mar-17	25-Apr-17
17/0406/S215ES	19 Regent Street Brierfield Nelson Lancashire BB9 5LF	Brierfield	25-Apr-17	11-May-17
17/0023/S215ES	555 Colne Road Brierfield Burnley Lancashire BB10 2LG	Brierfield	05-Jan-17	15-May-17

17/0102/S215ES	34 Taylor Street Brierfield Nelson Lancashire BB9 5RY	Brierfield	27-Jan-17	15-May-17
17/0418/S215ES	Site Of Former 1 Stanley Street Brierfield Lancashire	Brierfield	27-Apr-17	18-May-17
17/0429/S215ES	12 Arthur Street Brierfield Nelson Lancashire BB9 5SQ	Brierfield	03-May-17	18-May-17
17/0096/S215ES	2 Taylor Street Brierfield Nelson Lancashire BB9 5RY	Brierfield	27-Jan-17	05-Jun-17
17/0488/S215ES	5 Timber Street Brierfield Nelson Lancashire BB9 5NR	Brierfield	18-May-17	05-Jun-17
17/0514/S215ES	57 Halifax Road Brierfield Nelson Lancashire BB9 5BG	Brierfield	24-May-17	09-Jun-17
17/0583/S215ES	15 Montrose Street Brierfield Nelson Lancashire BB9 5BZ	Brierfield	09-Jun-17	13-Jun-17
17/0598/S215ES	7 Timber Street Brierfield Nelson Lancashire BB9 5NR	Brierfield	13-Jun-17	13-Jun-17
17/0498/S215ES	23 Wood Street Brierfield Nelson Lancashire BB9 5AS	Brierfield	19-May-17	19-Jun-17
17/0546/S215ES	38 Commercial Street Brierfield Nelson Lancashire BB9 5SG	Brierfield	02-Jun-17	26-Jun-17
17/0565/S215ES	13 Halifax Road Brierfield Nelson Lancashire BB9 5AE	Brierfield	08-Jun-17	26-Jun-17

17/0584/S215ES	16 Garden Street Brierfield Nelson Lancashire BB9 5DA	Brierfield	09-Jun-17	27-Jun-17
		Total	20	

Section 215 completed by Legal

There were no 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 April and June 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 April and June 2017:

Quarter 1 Actions	Brierfield
Resolved before warning	2
Statutory Warning Letter	0
Resolved after warning	1
Notice	0
Resolved after notice	2
In breach of Notice	0
Prosecution	0
Total	5

Description	Action
squatting without consent in the property	Resolved before Warning
rubbish on roof	Resolved before Warning
Parking vehicle awaiting repair on street	Resolved after Warning
new dog escaping - enforcement of FPN pending	Resolved after Notice
condition of garden; dog nuisance	Resolved after Notice
rubbish accumulating at the far end of the yard	Under Investigation
garage repair business disturbing residential neighbours	Under Investigation
builders leaving a mess around the back street	Under Investigation

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
Prosecution	0	0	1	0	0	1
In breach of Notice	0	0	1	1	0	2
Under Notice	0	0	1	0	0	1
Resolved after notice	2	2	2	4	0	10
Statutory Warning Letter	2	0	3	23	1	29
Resolved after warning	1	2	8	17	3	31
Under Investigation	3	12	15	29	2	61
Resolved before warning	3	14	23	43	3	86
Total Actions	11	30	54	117	9	221

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 April to June 2017, there were 5 Fixed Penalty Notice served in the Brierfield and Reedley area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/0376/ECFLY	Street Record Hardy Avenue Brierfield Lancashire	Brierfield	12-May-17	EC - Flytipping

17/0386/ECLITR	89 Sackville Gardens Brierfield Nelson Lancashire BB9 5JZ	Brierfield	16-May-17	EC - Littering
17/0427/ECPSPO	Street Record High Street Brierfield Lancashire	Brierfield	05-Jun-17	EC - PSPO DOG fouling
17/0329/ECLITV	Street Record Colne Road Brierfield Lancashire	Brierfield	21-Apr-17	EC -Littering Vehicle
17/0363/ECLITV	21 Colne Road Brierfield Nelson Lancashire BB9 5HW	Brierfield	04-May-17	EC -Littering Vehicle
		Total	5	

Annual Summary of Environmental Crime Actions for 2017/18

S215 P	S215 C	Sec 46	Sec 79	Fixed penalty notices				
				FPN Flytip	FPN Dog Fouling	FPN Litter from a vehicle	FPN Litter	Total
24	22	0	0	1	1	2	1	5

The table above summarises the total number of actions taken by both Environmental and Neighbourhood Services in 2017/18.

Provision of litter / dog waste bins

Members approved a total allocation of £1,002.00 inclusive of slippage for 2017/18. There has been no spend during Quarter 1, therefore, the balance remains at £1,002.00.

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

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
KINGS CAUSEWAY, BRIERFIELD	REPLACE THE MISSING DOG BIN. NEAR NO 256	DOG	106.52
REEDLEY DRIVE, REEDLEY	REPLACE & RE-ATTACH HOODED P/M LITTER BIN AT TOP OF DRIVE	LITTER	151.88
CORONATION ROAD, BRIERFIELD	REPLACE YELLOW P/M LITTER BIN.	LITTER	151.88

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.