

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER

**TO:** BRIERFIELD & REEDLEY COMMITTEE

**DATE:** 7<sup>TH</sup> NOVEMBER 2017

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## ENVIRONMENTAL CRIME UPDATE

### PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st July to 30<sup>th</sup> September 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 51 properties during July to September 2017.

<b>IDNO</b>	<b>ADDRESS</b>	<b>COMMITTEE</b>	<b>COMMENCED</b>
17/0680/S215ES	32 Commercial Street, Brierfield	Brierfield	07-Jul-17
17/0711/S215ES	48 Forest View, Brierfield	Brierfield	21-Jul-17
17/0712/S215ES	151 Halifax Road, Brierfield	Brierfield	21-Jul-17
17/0741/S215ES	4 Railway Terrace, Brierfield	Brierfield	28-Jul-17
17/0743/S215ES	13 Bird Street, Brierfield	Brierfield	28-Jul-17
17/0785/S215ES	18 Chapel Street, Brierfield	Brierfield	11-Aug-17
17/0786/S215ES	21 William Street, Brierfield	Brierfield	11-Aug-17
17/0816/S215ES	8 Ann Street, Brierfield	Brierfield	15-Aug-17
17/0820/S215ES	69 Colne Road, Brierfield	Brierfield	15-Aug-17
17/0826/S215ES	71 Colne Road, Brierfield	Brierfield	17-Aug-17
17/0828/S215ES	45-47 Burnley Road, Brierfield	Brierfield	18-Aug-17
17/0837/S215ES	2 - 4 Castle Street, Brierfield	Brierfield	22-Aug-17
17/0838/S215ES	6 Castle Street, Brierfield	Brierfield	22-Aug-17
17/0843/S215ES	23 Taylor Street, Brierfield	Brierfield	23-Aug-17
17/0845/S215ES	4 Lord Street, Brierfield	Brierfield	23-Aug-17
17/0867/S215ES	3 Cambridge Street, Brierfield	Brierfield	01-Sep-17
17/0868/S215ES	5 Cambridge Street, Brierfield	Brierfield	01-Sep-17
17/0869/S215ES	7 Cambridge Street, Brierfield	Brierfield	01-Sep-17
17/0871/S215ES	27 Commercial Street, Brierfield	Brierfield	01-Sep-17
17/0900/S215ES	11 Albion Street, Brierfield	Brierfield	11-Sep-17
17/0901/S215ES	15 Albion Street, Brierfield	Brierfield	11-Sep-17
17/0903/S215ES	34 Taylor Street, Brierfield	Brierfield	11-Sep-17
17/0906/S215ES	18 Woodfield Terrace, Brierfield	Brierfield	11-Sep-17
17/0912/S215ES	99 Colne Road, Brierfield	Brierfield	11-Sep-17
17/0913/S215ES	91 Colne Road, Brierfield	Brierfield	11-Sep-17
17/0914/S215ES	16 Every Street, Brierfield	Brierfield	11-Sep-17
17/0915/S215ES	22 Kay Street, Brierfield	Brierfield	11-Sep-17
17/0916/S215ES	32 Every Street, Brierfield	Brierfield	11-Sep-17
17/0917/S215ES	34 Humphrey Street, Brierfield	Brierfield	11-Sep-17
17/0924/S215ES	8 Bank Street, Brierfield	Brierfield	12-Sep-17
17/0926/S215ES	15 Bank Street, Brierfield	Brierfield	12-Sep-17
17/0927/S215ES	23 Bank Street, Brierfield	Brierfield	12-Sep-17
17/0932/S215ES	3 High Street, Brierfield	Brierfield	13-Sep-17
17/0933/S215ES	8 Montague Street, Brierfield	Brierfield	13-Sep-17
17/0935/S215ES	9 Sackville Street, Brierfield	Brierfield	13-Sep-17
17/0936/S215ES	11 Regent Street, Brierfield	Brierfield	13-Sep-17
17/0938/S215ES	12 Albion Street, Brierfield	Brierfield	13-Sep-17
17/0939/S215ES	12 Cambridge Street, Brierfield	Brierfield	13-Sep-17
17/0940/S215ES	22 Montague Street, Brierfield	Brierfield	13-Sep-17
17/0941/S215ES	23 Sackville Street, Brierfield	Brierfield	13-Sep-17
17/0942/S215ES	27 Guilford Street, Brierfield	Brierfield	13-Sep-17
17/0943/S215ES	47-49 Sackville Street, Brierfield	Brierfield	13-Sep-17
17/0944/S215ES	96 Burnley Road, Brierfield	Brierfield	13-Sep-17
17/0950/S215ES	32 Halifax Road, Brierfield	Brierfield	18-Sep-17

17/0952/S215ES	12 Primrose Street, Brierfield	Brierfield	19-Sep-17
17/0962/S215ES	22-26 Colne Road, Brierfield	Brierfield	21-Sep-17
17/0964/S215ES	25-31 Hill Street, Brierfield	Brierfield	21-Sep-17
17/0980/S215ES	3 Ann Street, Brierfield	Brierfield	25-Sep-17
17/0982/S215ES	7 Ann Street, Brierfield	Brierfield	25-Sep-17
17/0984/S215ES	10 Every Street, Brierfield	Brierfield	25-Sep-17
17/0990/S215ES	32 Landless Street, Brierfield	Brierfield	25-Sep-17
		<b>Total</b>	<b>51</b>

### **Section 215s completed**

The following 18 properties were dealt with under Section 215, but were cleared and the process completed during the period July to September 2017.

<b>IDNO</b>	<b>ADDRESS</b>	<b>COMMITTEE</b>	<b>COMMENCED</b>	<b>CLOSED</b>
17/0498/S215ES	23 Wood Street, Brierfield	Brierfield	19-May-17	19-Jul-17
17/0659/S215ES	14 Moorland Drive, Brierfield	Brierfield	30-Jun-17	24-Jul-17
17/0407/S215ES	33 Commercial Street Brierfield	Brierfield	25-Apr-17	02-Aug-17
17/0404/S215ES	4 Taylor Street, Brierfield	Brierfield	25-Apr-17	03-Aug-17
17/0743/S215ES	13 Bird Street, Brierfield	Brierfield	28-Jul-17	17-Aug-17
17/0113/S215ES	14 Commercial Street Brierfield	Brierfield	01-Feb-17	21-Aug-17
17/0816/S215ES	8 Ann Street, Brierfield	Brierfield	15-Aug-17	25-Aug-17
17/0820/S215ES	69 Colne Road, Brierfield	Brierfield	15-Aug-17	25-Aug-17
17/0845/S215ES	4 Lord Street, Brierfield	Brierfield	23-Aug-17	11-Sep-17
17/0916/S215ES	32 Every Street, Brierfield	Brierfield	11-Sep-17	11-Sep-17
17/0712/S215ES	151 Halifax Road, Brierfield	Brierfield	21-Jul-17	19-Sep-17
17/0363/S215ES	41 Burnley Road, Brierfield	Brierfield	10-Apr-17	21-Sep-17
17/0828/S215ES	45-47 Burnley Road, Brierfield	Brierfield	18-Aug-17	21-Sep-17
17/0927/S215ES	23 Bank Street, Brierfield	Brierfield	12-Sep-17	21-Sep-17
17/0912/S215ES	99 Colne Road, Brierfield	Brierfield	11-Sep-17	29-Sep-17
17/0915/S215ES	22 Kay Street, Brierfield	Brierfield	11-Sep-17	29-Sep-17
17/0926/S215ES	15 Bank Street, Brierfield	Brierfield	12-Sep-17	29-Sep-17
17/0936/S215ES	11 Regent Street, Brierfield	Brierfield	13-Sep-17	29-Sep-17
		<b>Total</b>		<b>18</b>

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

There was 1 Section 215 Notice served between 1<sup>st</sup> July and 30<sup>th</sup> September:

#### **1. Marsden Cross Hotel, Higher Reedley Road, Brierfield BB9 5HA**

The notice was later withdrawn as they agreed to carry out the work.

### **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.

Between July and September 2017 Environmental Services issued 31 letters to residents within the Brierfield and Reedley area leading to 1 Section 46 Notice being issued.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/048449/ES1BON	34 Commercial Street, Brierfield	Brierfield	24-Aug-17
		<b>Total</b>	<b>1</b>

### **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 July and September 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 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	0	0	0	0
Breached Notice	0	0	1	0	0	1
Under Notice	2	0	4	2	0	8
Resolved after notice	2	2	2	4	0	10
Under Statutory Warning	0	2	2	20	2	26
Resolved after warning	1	2	10	20	3	36
Under Investigation	4	10	15	27	2	58
Resolved before warning	4	19	25	55	4	107
<b>Total Actions</b>	<b>13</b>	<b>35</b>	<b>59</b>	<b>128</b>	<b>11</b>	<b>246</b>

The following actions were undertaken via a Community Protection process by Neighbourhood Services between July and September 2017:

Quarter 1 Actions	Brierfield
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	2
Resolved after warning	0
Resolved before warning	5
<b>Total</b>	<b>7</b>

The following list shows all the current cases; and the resolutions during quarter 2:

Description	Action
builders leaving a mess around the back street	Warning Letter Served
builders leaving a mess around the back street	Warning Letter Served
site is vulnerable to ASB	Under Investigation
hoarding in two now unoccupied houses	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
overgrown garden	Under Investigation
dog control and fouling	Under Investigation
unauthorised caravans in car park	Resolved before Warning
garage repair business disturbing residential neighbours	Resolved before Warning
uninsured vehicle left on street and causing a nuisance	Resolved before Warning
parking cars awaiting repair in street	Resolved before Warning
rubbish accumulating at the far end of the yard	Resolved before Warning

### **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 July to September 2017, there were 6 Fixed Penalty Notices served in the Brierfield and Reedley area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/044868/EC2_SA		Brierfield & Reedley	04/08/17	Abandoned Vehicle
17/038387/EC2_FT		Brierfield & Reedley	05/07/17	Flytipping
17/040257/EC2_FT		Brierfield & Reedley	13/07/17	Flytipping
17/050486/EC2_LF		Brierfield & Reedley	06/09/17	Flytipping
17/042019/EC2_LL		Brierfield & Reedley	20/07/17	Littering
17/045045/EC2_LF		Brierfield & Reedley	07/08/17	Littering
		<b>Total</b>	<b>6</b>	

### **Annual Summary of Environmental Crime Actions for 2017/18**

S215 P	S215 C	Sec 46	Sec 79	Fixed penalty notices					
				FPN Abandoned Vehicle	FPN Fly tip	FPN Dog Fouling	FPN Litter from a vehicle	FPN Litter	Total
75	40	1	0	1	4	1	2	3	11

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 or Quarter 2, therefore, the balance remains at £1,002.00.

### **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.