

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER

**TO:** BARROWFORD & WESTERN PARISHES COMMITTEE

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

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## ENVIRONMENTAL CRIME UPDATE

### PURPOSE OF REPORT

To inform Members of the Environmental Crime action from the 1<sup>st</sup> July to the 30<sup>th</sup> September 2017 in the Barrowford 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 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 no Section 215 processes opened during July to September 2017.

### Section 215s completed

There were no properties dealt with under Section 215 that was cleared in the process and completed during July to September 2017.

### **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 July and September 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 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:

<b>Current</b>	<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>
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.

<b>Quarter 2 Actions</b>	
Prosecuted	0
Breached Notice	0
Notice Served	2
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	0
Resolved before warning	1
<b>Total</b>	<b>3</b>

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

<b>Description</b>	<b>Action</b>
Control of dogs on farm	Community Protection Notice Served
Cars in a poor state of repair parked adjacent to the highway	Community Protection Notice Served
Aggressive behaviour towards footpath users	Under Investigation
Condition of land	Under Investigation
Feeding wildlife attracting vermin	Under Investigation
Condition of empty property and garden	Under Investigation
Parking vehicles in Ford Street and Bankhouse Road	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.

There were 3 Fixed Penalty Notices served in the period between July and September 2017 in the Barrowford area by both Environmental and Neighbourhood Services.

<b>IDNO</b>	<b>COMMITTEE</b>	<b>COMMENCED</b>	<b>TYPE</b>
17/040479/EC2_LV	Barrowford & Western	14/07/17	Littering from vehicle
17/00023/DG_MCH	Barrowford & Western	15/09/17	Microchipping of dogs
17/00024/DG_MCH	Barrowford & Western	15/09/17	Microchipping of dogs
		<b>Total</b>	<b>3</b>

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

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices		
				FPN Litter from a vehicle	FPN Micro chipping of dogs	Total
3	2	1	0	1	2	3

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 £500.00 for 2017/18. Members are advised that there were no new litter or Dog waste bins erected during Quarter 1, and there was a total spend of £343.43 in Quarter 2, leaving a remaining balance of £156.57.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Croft Top Lane, Higham	Erect a new F/S Glasdon Jubilee Litter Bin	LITTER	176.91
Clover Croft, Higham	To move a dog bin from far entrance of Playing Field to Clover Croft entrance	DOG	40.00
Higham Hall Road, Higham	Replace a dog bin for a new one	DOG	126.52

Members are advised that due to wear or damage, 4 bins have been replaced by Environmental Services at no cost to the areas committee budget within the period July to September 2017.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Fir Trees Lane, Higham	Replace dog bin towards Hencock Farm	DOG	126.52
Gisburn Road, Blacko	Remove post mounted litter bin adjacent to the Barbers shop	LITTER	20.00
Rushton Street, Barrowford	Reinstate the F/S litter bin at bottom of street	LITTER	20.00
Gisburn Road, Barrowford	Replace post and re-attach dog bin, opposite Spar Shop	DOG	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.