

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER  
**TO:** WEST CRAVEN COMMITTEE  
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## ENVIRONMENTAL CRIME UPDATE

### PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st October to 31<sup>st</sup> December 2017 in the West Craven area, (including spend on litter/ dog waste bins) along with the 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

The Section 215 process was started on the following 9 properties during October to December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/1089/S215ES	32 Essex Street Barnoldswick	West Craven	19-Oct-17
17/1121/S215ES	24 Rankin Close Barnoldswick	West Craven	23-Oct-17
17/1157/S215ES	14 Brogden Street Barnoldswick	West Craven	30-Oct-17
17/1164/S215ES	19 Gisburn Street Barnoldswick	West Craven	30-Oct-17
17/1258/S215ES	17 Colin Street Barnoldswick	West Craven	23-Nov-17
17/1259/S215ES	23 Victoria Road Earby	West Craven	23-Nov-17
17/1260/S215ES	48 Bracewell Street Barnoldswick	West Craven	23-Nov-17
17/1277/S215ES	4 Wellington Street Barnoldswick	West Craven	23-Nov-17
17/1305/S215ES	53 Warwick Drive Earby	West Craven	30-Nov-17
		<b>Total</b>	<b>9</b>

### **Section 215s completed**

The following 13 properties were dealt with under Section 215, but were cleared and the process completed during October to December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/0809/S215ES	2 Bethesda Street Barnoldswick	West Craven	15-Aug-17	04-Oct-17
17/0840/S215ES	14 Calf Hall Road Barnoldswick	West Craven	22-Aug-17	05-Oct-17
17/0888/S215ES	17 Waddington Street Earby	West Craven	06-Sep-17	05-Oct-17
17/0890/S215ES	75 Rainhall Road Barnoldswick	West Craven	06-Sep-17	05-Oct-17
17/0972/S215ES	38 Rook Street Barnoldswick	West Craven	22-Sep-17	16-Oct-17
17/1121/S215ES	24 Rankin Close Barnoldswick	West Craven	23-Oct-17	26-Oct-17
17/1089/S215ES	32 Essex Street Barnoldswick	West Craven	19-Oct-17	03-Nov-17
17/1157/S215ES	14 Brogden Street Barnoldswick	West Craven	30-Oct-17	17-Nov-17
17/1164/S215ES	19 Gisburn Street Barnoldswick	West Craven	30-Oct-17	17-Nov-17
17/1305/S215ES	53 Warwick Drive Earby	West Craven	30-Nov-17	04-Dec-17
17/1259/S215ES	23 Victoria Road Earby	West Craven	23-Nov-17	12-Dec-17
17/0974/S215ES	46 Park Road Barnoldswick	West Craven	22-Sep-17	19-Dec-17
17/1277/S215ES	4 Wellington Street Barnoldswick	West Craven	23-Nov-17	19-Dec-17
		<b>Total</b>	<b>13</b>	

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

There were no Section 215's completed by Legal, from 1<sup>st</sup> October till 31<sup>st</sup> December 2017.

### **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 7 Section 46 Notices issued by Environmental Services between October and December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/059152/ES1BON	50 Colin Street Barnoldswick	West Craven	27-Oct-17
17/061621/ES1BON	1 Cowgill Street Earby	West Craven	13-Nov-17
17/066271/ES1BON	3 Ridge Street Barnoldswick	West Craven	13-Dec-17
17/066276/ES1BON	15 King Street Barnoldswick	West Craven	13-Dec-17
17/067415/ES1BON	7A Victoria Road Earby Barnoldswick	West Craven	20-Dec-17
17/067418/ES1BON	7C Victoria Road Earby	West Craven	20-Dec-17
17/067791/ES1BON	1 Powell Street Barnoldswick	West Craven	22-Dec-17
		<b>Total</b>	<b>7</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's carried out by Environmental Services between October and December 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.

There were no actions undertaken via a Community Protection process by Neighbourhood Services between October and December 2017:

The table below identifies the total number of cases for 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	1	0	2
Under Notice	1	0	2	3	0	6
Resolved after notice	1	2	6	4	0	13
Under Statutory Warning	2	0	4	17	3	26
Resolved after warning	1	4	11	23	3	42
Under Investigation	4	8	13	27	5	57
Resolved before warning	4	23	27	62	4	120
<b>Total Actions</b>	<b>13</b>	<b>37</b>	<b>64</b>	<b>137</b>	<b>15</b>	<b>266</b>

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

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

The following list shows all the current cases; and the resolutions during quarter 3:

<b>Description</b>	<b>Action</b>
Dog control	Warning Letter Served
Dog control	Warning Letter Served
Dogs out of control when off lead	Warning Letter Served
Generating rubbish and causing damage on neighbour's land	Under Investigation
Overgrown garden adversely affecting neighbours	Under Investigation
Neglected empty property	Under Investigation
Inconsiderate parking	Under Investigation
Open access to site	Under Investigation

## **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 October and December 2017 in the West Craven area by Environmental Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/055758/EC2_DF	Street Record Walmsgate	West Craven	05-Oct-17	FPN Dog Fouling
17/067412/EC2_DO	14 Newtown Barnoldswick	West Craven	20-Dec-17	FPN Duty of Care
		<b>Total</b>	<b>2</b>	

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

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices								Total
				FPN Duty of Care	FPN Dog Off Lead	FPN Abandoned Vehicle	FPN Microchip Dogs	FPN Litter from a vehicle	FPN Fly Tip	FPN Litter	FPN PSPO Dog Fouling	
37	36	16	0	1	1	1	2	1	3	3	2	14

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 £4,386.00 inclusive of slippage for 2017/18.

£3,446.00 was brought forward to Quarter 3, and there has been no spend during the quarter, leaving a remaining balance of £3,446.00.

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

AREA	DESCRIPTION	BIN TYPE	COST PER BIN
Rushton Avenue, Earby	Replace dog bin	DOG	20.00
Greenend Avenue, Earby	Refix dog bin onto post into ground	DOG	20.00

## **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.