

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 October to 31st December 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 25 properties during October to December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/1029/S215ES	13 Albion Street, Brierfield	Brierfield	02-Oct-17
17/1030/S215ES	14-16 Bank Street, Brierfield	Brierfield	02-Oct-17
17/1031/S215ES	18 Bank Street, Brierfield	Brierfield	02-Oct-17
17/1033/S215ES	47 Sackville Street, Brierfield	Brierfield	02-Oct-17
17/1061/S215ES	36 Humphrey Street, Brierfield	Brierfield	11-Oct-17
17/1074/S215ES	38 Livingstone Street, Brierfield	Brierfield	17-Oct-17
17/1096/S215ES	5 Sackville Street, Brierfield	Brierfield	20-Oct-17
17/1097/S215ES	19 Regent Street, Brierfield	Brierfield	20-Oct-17
17/1098/S215ES	21 Regent Street, Brierfield	Brierfield	20-Oct-17
17/1099/S215ES	31 Regent Street, Brierfield	Brierfield	20-Oct-17
17/1100/S215ES	23 Regent Street, Brierfield	Brierfield	20-Oct-17
17/1109/S215ES	10 Montague Street, Brierfield	Brierfield	20-Oct-17
17/1124/S215ES	2 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17
17/1125/S215ES	12 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17
17/1127/S215ES	16 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17
17/1162/S215ES	20 Arthur Street, Brierfield	Brierfield	30-Oct-17
17/1167/S215ES	34 Sackville Street, Brierfield	Brierfield	30-Oct-17
17/1193/S215ES	2 Milton Street, Brierfield	Brierfield	06-Nov-17
17/1209/S215ES	82 Higher Reedley Road, Brierfield	Brierfield	09-Nov-17
17/1233/S215ES	63 Halifax Road, Brierfield	Brierfield	13-Nov-17
17/1278/S215ES	45-47 Burnley Road, Brierfield	Brierfield	27-Nov-17
17/1282/S215ES	4 Halifax Road, Brierfield	Brierfield	27-Nov-17
17/1285/S215ES	49 Burnley Road, Brierfield	Brierfield	29-Nov-17
17/1315/S215ES	21 Commercial Street, Brierfield	Brierfield	04-Dec-17
17/1323/S215ES	20 Arthur Street, Brierfield	Brierfield	04-Dec-17
		Total	25

Section 215s completed

The following 52 properties were dealt with under Section 215, but were cleared and the process completed during the period October to December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/1033/S215ES	47 Sackville Street, Brierfield	Brierfield	02-Oct-17	02-Oct-17
17/0906/S215ES	18 Woodfield Terrace, Brierfield	Brierfield	11-Sep-17	04-Oct-17
17/0938/S215ES	12 Albion Street, Brierfield	Brierfield	13-Sep-17	04-Oct-17
17/0941/S215ES	23 Sackville Street, Brierfield	Brierfield	13-Sep-17	04-Oct-17
17/0952/S215ES	12 Primrose Street, Brierfield	Brierfield	19-Sep-17	04-Oct-17
17/0785/S215ES	18 Chapel Street, Brierfield	Brierfield	11-Aug-17	05-Oct-17
17/0868/S215ES	5 Cambridge Street, Brierfield	Brierfield	01-Sep-17	05-Oct-17
17/0869/S215ES	7 Cambridge Street, Brierfield	Brierfield	01-Sep-17	05-Oct-17
17/0900/S215ES	11 Albion Street, Brierfield	Brierfield	11-Sep-17	05-Oct-17

17/0950/S215ES	32 Halifax Road, Brierfield	Brierfield	18-Sep-17	05-Oct-17
17/0913/S215ES	91 Colne Road, Brierfield	Brierfield	11-Sep-17	12-Oct-17
17/0924/S215ES	8 Bank Street, Brierfield	Brierfield	12-Sep-17	12-Oct-17
17/0933/S215ES	8 Montague Street, Brierfield	Brierfield	13-Sep-17	12-Oct-17
17/0935/S215ES	9 Sackville Street, Brierfield	Brierfield	13-Sep-17	12-Oct-17
17/0984/S215ES	10 Every Street, Brierfield	Brierfield	25-Sep-17	12-Oct-17
17/0990/S215ES	32 Landless Street, Brierfield	Brierfield	25-Sep-17	12-Oct-17
17/1030/S215ES	14-16 Bank Street, Brierfield	Brierfield	02-Oct-17	17-Oct-17
17/1031/S215ES	18 Bank Street, Brierfield	Brierfield	02-Oct-17	17-Oct-17
17/1029/S215ES	13 Albion Street, Brierfield	Brierfield	02-Oct-17	20-Oct-17
17/0828/S215ES	45-47 Burnley Road, Brierfield	Brierfield	18-Aug-17	23-Oct-17
17/0944/S215ES	96 Burnley Road, Brierfield	Brierfield	13-Sep-17	23-Oct-17
17/0786/S215ES	21 William Street, Brierfield	Brierfield	11-Aug-17	27-Oct-17
17/0980/S215ES	3 Ann Street, Brierfield	Brierfield	25-Sep-17	27-Oct-17
17/1061/S215ES	36 Humphrey Street, Brierfield	Brierfield	11-Oct-17	27-Oct-17
17/0329/S215ES	29 Mansfield Grove, Brierfield	Brierfield	30-Mar-17	30-Oct-17
17/0871/S215ES	27 Commercial Street, Brierfield	Brierfield	01-Sep-17	30-Oct-17
17/0680/S215ES	32 Commercial Street, Brierfield	Brierfield	07-Jul-17	01-Nov-17
17/0826/S215ES	71 Colne Road, Brierfield	Brierfield	17-Aug-17	01-Nov-17
17/0942/S215ES	27 Guilford Street, Brierfield	Brierfield	13-Sep-17	01-Nov-17
17/0962/S215ES	22-26 Colne Road, Brierfield	Brierfield	21-Sep-17	01-Nov-17
17/1098/S215ES	21 Regent Street, Brierfield	Brierfield	20-Oct-17	07-Nov-17
17/1127/S215ES	16 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17	10-Nov-17
17/0932/S215ES	3 High Street, Brierfield	Brierfield	13-Sep-17	17-Nov-17
17/1100/S215ES	23 Regent Street, Brierfield	Brierfield	20-Oct-17	17-Nov-17
17/1162/S215ES	20 Arthur Street, Brierfield	Brierfield	30-Oct-17	17-Nov-17
17/0741/S215ES	4 Railway Terrace, Brierfield	Brierfield	28-Jul-17	20-Nov-17
17/0837/S215ES	2 - 4 Castle Street, Brierfield	Brierfield	22-Aug-17	20-Nov-17
17/0843/S215ES	23 Taylor Street, Brierfield	Brierfield	23-Aug-17	20-Nov-17
17/0593/S215ES	42 Every Street, Brierfield	Brierfield	12-Jun-17	22-Nov-17
17/1209/S215ES	82 Higher Reedley Road Brierfield	Brierfield	09-Nov-17	23-Nov-17
17/0619/S215ES	20 Townley Street, Brierfield	Brierfield	15-Jun-17	28-Nov-17
17/1193/S215ES	2 Milton Street, Brierfield	Brierfield	06-Nov-17	28-Nov-17
17/1282/S215ES	4 Halifax Road, Brierfield	Brierfield	27-Nov-17	28-Nov-17
17/1285/S215ES	49 Burnley Road, Brierfield	Brierfield	29-Nov-17	30-Nov-17
17/1124/S215ES	2 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17	05-Dec-17
17/1233/S215ES	63 Halifax Road, Brierfield	Brierfield	13-Nov-17	07-Dec-17
17/0964/S215ES	25-31 Hill Street, Brierfield	Brierfield	21-Sep-17	08-Dec-17
17/0867/S215ES	3 Cambridge Street, Brierfield	Brierfield	01-Sep-17	14-Dec-17
17/0711/S215ES	48 Forest View, Brierfield	Brierfield	21-Jul-17	18-Dec-17
17/1074/S215ES	38 Livingstone Street, Brierfield	Brierfield	17-Oct-17	21-Dec-17
17/1323/S215ES	20 Arthur Street, Brierfield	Brierfield	04-Dec-17	22-Dec-17
17/1315/S215ES	21 Commercial Street, Brierfield	Brierfield	04-Dec-17	28-Dec-17
		Total		52

Section 215 completed by Legal

There were no Section 215 Notices served between 1st October and 31st 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.

Between October and December 2017 Environmental Services issued 11 letters to residents within the Brierfield and Reedley area leading to 1 Section 46 Notice being issued.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/058762/ES1BON	11 Taylor Street Brierfield	Brierfield	25-Oct-17
17/059150/ES1BON	14 Every Street, Brierfield	Brierfield	27-Oct-17
17/059637/ES1BON	14 Every Street, Brierfield	Brierfield	31-Oct-17
17/062575/ES1BON	20 Cross Street, Brierfield	Brierfield	17-Nov-17
17/062576/ES1BON	24 Taylor Street, Brierfield	Brierfield	17-Nov-17
17/066517/ES1BON	6 Milton Street, Brierfield	Brierfield	14-Dec-17
17/066519/ES1BON	2 Milton Street, Brierfield	Brierfield	14-Dec-17
17/066552/ES1BON	4 Milton Street, Brierfield	Brierfield	14-Dec-17
17/066555/ES1BON	Flat 1, 2 Milton Street, Brierfield	Brierfield	14-Dec-17
17/066561/ES1BON	Flat 2, 2 Milton Street, Brierfield	Brierfield	14-Dec-17
17/066567/ES1BON	5 Beattie Street, Brierfield	Brierfield	14-Dec-17
		Total	11

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 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.

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	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
Total Actions	13	37	64	137	15	266

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

Quarter 3 Actions	Brierfield
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	2
Resolved before warning	4

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

Description	Action
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

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 October to December 2017, there was 1 Fixed Penalty Notice served in the Brierfield and Reedley area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/056819/EC2_LL	15 Taylor Street Brierfield	Brierfield	12-Oct-17	FPN Littering
Total			1	

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
100	92	12	0	1	4	1	2	4	12

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, Quarter 2, or Quarter 3 therefore, the balance remains at £1,002.00.

Members are further advised that due to wear or damage, 1 bin has 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
Woodville Road, Brierfield	Replace the post and re-attach the dog bin	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.