

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER
TO: BARROWFORD & WESTERN PARISHES COMMITTEE
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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action from the 1st October to the 31st December 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 5 Section 215 processes opened during October to December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/1264/S215ES	14 Carr Hall Road Barrowford	Barrowford	23-Nov-17

17/1272/S215ES	13 Grove Street Barrowford	Barrowford	23-Nov-17
17/1351/S215ES	8 Higher Causeway Barrowford	Barrowford	11-Dec-17
17/1363/S215ES	47 Nora Street Barrowford	Barrowford	14-Dec-17
17/1389/S215ES	18 Carr Hall Road Barrowford	Barrowford	28-Dec-17
		Total	5

Section 215s completed

There was 1 property dealt with under Section 215 that was cleared in the process and completed during July to September 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/1272/S215ES	13 Grove Street Barrowford	Barrowford	23-Nov-17	19-Dec-17
		Total	1	

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 3 Section 46 Notices issued by Environmental Services between October and December 2017.

IDNO	ADDRESS	COMMITTEE	COMMENCED
17/061646/ES1BON	9 Bedford Street Barrowford	Barrowford	13-Nov-17
17/061648/ES1BON	30 Carr Hall Road Barrowford	Barrowford	13-Nov-17
17/063562/ES1BON	13 Grove Street Barrowford	Barrowford	24-Nov-17
		Total	3

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.

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	
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	2
Resolved after warning	0
Resolved before warning	0

The following list shows all the current cases within the Committee's area; and the resolutions during quarter 3:

Description	Action
Control of dogs on farm	Community Protection Notice Served
Condition of empty property and garden	Warning Letter Served
Parking of scrap vehicles	Warning Letter Served

Aggressive behaviour towards footpath users	Under Investigation
Condition of land	Under Investigation
Feeding wildlife attracting vermin	Under Investigation
Cars in a poor state of repair parked adjacent to the highway	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 was 1 Fixed Penalty Notice served in the period between October and December 2017 in the Barrowford area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
17/058608/EC2_FT	Pendle Heritage Centre Colne Road Barrowford	Barrowford	24-Oct-17	FPN Flytipping
		Total	1	

Annual Summary of Environmental Crime Actions for 2017/18

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices			
				FPN Flytip	FPN Litter from a vehicle	FPN Micro chipping of dogs	Total
8	3	4	0	1	1	2	4

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 3, leaving a remaining balance of £156.57.

Members are also advised that due to wear or damage, 2 bins have been replaced by Environmental Services at no cost to the areas committee budget within the period October to December 2017.

AREA	DESCRIPTION	TYPE OF BIN	COST PER BIN
Francis Ave, Barrowford	Replace the dog bin	DOG	106.52
Barrowford Road, Fence	Replace post and refix dog bin near	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.