

<b>REPORT FROM:</b>	<b>ENVIRONMENTAL SERVICES MANAGER</b>
<b>TO:</b>	<b>WEST CRAVEN COMMITTEE</b>
<b>DATE:</b>	<b>8<sup>th</sup> MAY 2018</b>

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**ENVIRONMENTAL CRIME UPDATE**

**PURPOSE OF REPORT**

To inform Members of the Environmental Crime action for 1st January to 31<sup>st</sup> March 2018 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 7 properties during January to March 2018.

IDNO	ADDRESS	COMMITTEE	COMMENCED
18/0037/S215ES	2 Avon Drive Barnoldswick	West Craven	11-Jan-18
18/0038/S215ES	7 Victoria Road	West Craven	11-Jan-18

	Earby Barnoldswick		
18/0050/S215ES	First Floor Flat 30A Mosley Street Barnoldswick	West Craven	11-Jan-18
18/0078/S215ES	9 Park View Terrace Salterforth Lane Salterforth	West Craven	18-Jan-18
18/0121/S215ES	40 Coates Avenue Barnoldswick	West Craven	29-Jan-18
18/0293/S215ES	44 Cobden Street Barnoldswick	West Craven	15-Mar-18
18/0340/S215ES	30 Mosley Street Barnoldswick	West Craven	26-Mar-18

### **Section 215s completed**

The following 6 properties were dealt with under Section 215, but were cleared and the process completed during January to March 2018.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/1258/S215ES	17 Colin Street Barnoldswick	West Craven	23-Nov-17	15-Jan-18
18/0050/S215ES	First Floor Flat 30A Mosley Street Barnoldswick	West Craven	11-Jan-18	18-Jan-18
18/0038/S215ES	7 Victoria Road Earby	West Craven	11-Jan-18	30-Jan-18
18/0078/S215ES	9 Park Vue Terrace Salterforth Lane Salterforth	West Craven	18-Jan-18	07-Feb-18
17/1260/S215ES	48 Bracewell Street Barnoldswick	West Craven	23-Nov-17	15-Feb-18
18/0121/S215ES	40 Coates Avenue Barnoldswick	West Craven	29-Jan-18	13-Mar-18

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

There were no Section 215's completed by Legal, from 1<sup>st</sup> January till 31<sup>st</sup> March 2018.

### **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 2 Section 46 Notices issued by Environmental Services between January and March 2018.

IDNO	ADDRESS	COMMITTEE	COMMENCED
18/008294/ES1BON	15 King Street Barnoldswick	West Craven	16-Feb-18

18/008298/ES1BON	47 Wellington Street Barnoldswick	West Craven	16-Feb-18
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### **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 January and March 2018.

### **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 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	3	0	3	3	0	9
Resolved after notice	0	2	6	4	0	12
Under Statutory Warning	1	1	4	15	4	25
Resolved after warning	1	3	12	25	3	44
Under Investigation	5	9	12	28	4	58
Resolved before warning	5	22	31	68	5	131
<b>Total Actions</b>	<b>15</b>	<b>37</b>	<b>69</b>	<b>144</b>	<b>16</b>	<b>281</b>

The following actions were undertaken via a Community Protection process by Neighbourhood Services between January and March 2018:

<b>Quarter 4 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	1
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The following list shows all the current cases; and the resolutions during quarter 4:

Description	Action
Dog control	Warning Letter Served
Dog control	Warning Letter Served
Dogs out of control when off lead	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
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 was 1 Fixed Penalty Notice served in the period between January and March 2018 in the West Craven area by Environmental Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
18/002846/EC2_DF	Valley Gardens Dam Head Road	West Craven	16-Jan-18	FPN Dog Fouling

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

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices								
				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 Dog Fouling	Total
44	42	18	0	1	1	1	2	1	3	3	3	15

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 4, 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, 4 bins have been replaced by Environmental Services between January and March at no cost to the area's committee budget.

<b>AREA</b>	<b>DESCRIPTION</b>	<b>BIN TYPE</b>	<b>COST PER BIN</b>
Richmond Road, Barnoldswick	Refix dog bin onto post into ground	DOG	20.00
Lower North Avenue, Barnoldswick	To replace the post and re-attach dog bin by Cravenside HFE	DOG	40.00
Stoney Bank Road, Earby	To replace the liner in the litter bin	LITTER	40.00
Manchester Road, Barnoldswick	To replace the dog bin next to the play area in Letcliffe Park	DOG	126.52

## **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.