

**REPORT FROM:** ENVIRONMENTAL SERVICES MANAGER

**TO:** BRIERFIELD & REEDLEY COMMITTEE

**DATE:** 8<sup>th</sup> MAY 2018

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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 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 23 properties during January to March 2018.

IDNO	ADDRSS	COMMITTEE	COMMENCED
18/0043/S215ES	17 Albert Street, Brierfield	Brierfield	11-Jan-18
18/0044/S215ES	19 Albert Street, Brierfield	Brierfield	11-Jan-18
18/0077/S215ES	32 Sackville Street, Brierfield	Brierfield	18-Jan-18
18/0105/S215ES	15A Sackville Street, Brierfield	Brierfield	29-Jan-18
18/0107/S215ES	20 Montague Street, Brierfield	Brierfield	29-Jan-18
18/0139/S215ES	2 Ann Street, Brierfield	Brierfield	05-Feb-18
18/0140/S215ES	4 Ann Street, Brierfield	Brierfield	05-Feb-18
18/0143/S215ES	8 Robson Street, Brierfield	Brierfield	05-Feb-18
18/0144/S215ES	10 Robson Street, Brierfield	Brierfield	05-Feb-18
18/0168/S215ES	6 John Street, Brierfield	Brierfield	15-Feb-18
18/0173/S215ES	2A-4 John Street, Brierfield	Brierfield	15-Feb-18
18/0181/S215ES	15 Montrose Street, Brierfield	Brierfield	19-Feb-18
18/0182/S215ES	21 Mansfield Crescent, Brierfield	Brierfield	19-Feb-18
18/0243/S215ES	6 Grafton Avenue, Reedley	Brierfield	08-Mar-18
18/0244/S215ES	7 Bank Street, Brierfield	Brierfield	08-Mar-18
18/0245/S215ES	8 Ann Street, Brierfield	Brierfield	08-Mar-18
18/0246/S215ES	29 Mansfield Grove, Brierfield	Brierfield	08-Mar-18
18/0249/S215ES	10 Livingstone Walk, Brierfield	Brierfield	08-Mar-18
18/0251/S215ES	8 Burton Gardens, Brierfield	Brierfield	08-Mar-18
18/0272/S215ES	5 Bank Street, Brierfield	Brierfield	13-Mar-18
18/0315/S215ES	23 Taylor Street, Brierfield	Brierfield	22-Mar-18
18/0330/S215ES	8 Montrose Street, Brierfield	Brierfield	22-Mar-18
18/0336/S215ES	22 Kay Street, Brierfield	Brierfield	26-Mar-18

## **Section 215s completed**

The following 24 properties were dealt with under Section 215, but were cleared and the process completed during the period January to March 2018.

IDNO	ADDRESS	COMMITTEE	COMMENCED	CLOSED
17/1278/S215ES	45-47 Burnley Road, Brierfield	Brierfield	27-Nov-17	11-Jan-18
17/0982/S215ES	7 Ann Street, Brierfield	Brierfield	25-Sep-17	15-Jan-18
17/1097/S215ES	19 Regent Street, Brierfield	Brierfield	20-Oct-17	24-Jan-18
17/1109/S215ES	10 Montague Street, Brierfield	Brierfield	20-Oct-17	31-Jan-18
17/1096/S215ES	5 Sackville Street, Brierfield	Brierfield	20-Oct-17	05-Feb-18
17/1125/S215ES	12 Woodfield Terrace, Brierfield	Brierfield	23-Oct-17	05-Feb-18
18/0043/S215ES	17 Albert Street, Brierfield	Brierfield	11-Jan-18	05-Feb-18
17/0940/S215ES	22 Montague Street, Brierfield	Brierfield	13-Sep-17	06-Feb-18
17/0901/S215ES	15 Albion Street, Brierfield	Brierfield	11-Sep-17	07-Feb-18
18/0077/S215ES	32 Sackville Street, Brierfield	Brierfield	18-Jan-18	07-Feb-18
17/0903/S215ES	34 Taylor Street, Brierfield	Brierfield	11-Sep-17	12-Feb-18
17/1099/S215ES	31 Regent Street, Brierfield	Brierfield	20-Oct-17	12-Feb-18
17/0943/S215ES	47-49 Sackville Street, Brierfield	Brierfield	13-Sep-17	19-Feb-18

18/0105/S215ES	15A Sackville Street, Brierfield	Brierfield	29-Jan-18	21-Feb-18
18/0107/S215ES	20 Montague Street, Brierfield	Brierfield	29-Jan-18	21-Feb-18
18/0182/S215ES	21 Mansfield Crescent, Brierfield	Brierfield	19-Feb-18	27-Feb-18
18/0144/S215ES	10 Robson Street, Brierfield	Brierfield	05-Feb-18	07-Mar-18
18/0181/S215ES	15 Montrose Street, Brierfield	Brierfield	19-Feb-18	09-Mar-18
17/0914/S215ES	16 Every Street, Brierfield	Brierfield	11-Sep-17	14-Mar-18
18/0168/S215ES	6 John Street, Brierfield	Brierfield	15-Feb-18	19-Mar-18
18/0243/S215ES	6 Grafton Avenue, Reedley	Brierfield	08-Mar-18	23-Mar-18
18/0245/S215ES	8 Ann Street, Brierfield	Brierfield	08-Mar-18	23-Mar-18
18/0246/S215ES	29 Mansfield Grove, Brierfield	Brierfield	08-Mar-18	23-Mar-18
18/0249/S215ES	10 Livingstone Walk, Brierfield	Brierfield	08-Mar-18	26-Mar-18

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

There were no Section 215 Notices served between 1<sup>st</sup> January and 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.

Between January and March 2018 Environmental Services issued 3 letters to residents within the Brierfield and Reedley area.

IDNO	ADDRESS	COMMITTEE	COMMENCED
18/006258/ES1BON	12 Castle Street, Brierfield	Brierfield	06-Feb-18
18/006260/ES1BON	24 Castle Street, Brierfield	Brierfield	06-Feb-18
18/013208/ES1BON	3 Hardy Street, Brierfield	Brierfield	21-Mar-18

### **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 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 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>	
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>Brierfield</b>
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	0
Resolved before warning	0
	<b>0</b>

The following list shows all the current cases; and the resolutions during quarter 4:

<b>Description</b>	<b>Action</b>
Parking vehicle awaiting repair on street	Warning Letter Served
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
condition of building and back yard	Under Investigation
parking cars awaiting repair in street	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 January to March 2018, there were 9 Fixed Penalty Notices served in the Brierfield and Reedley area by both Environmental and Neighbourhood Services.

IDNO	ADDRESS	COMMITTEE	COMMENCED	TYPE
18/000984/EC2_DO	23-25 Railway Street, Brierfield	Brierfield	05-Jan-18	FPN Duty of Care
18/001267/EC2_DO	Feathers Inn 25 Colne Road Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001328/EC2_DO	94 Colne Road Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001460/EC2_DO	Unit 1 2 - 10 Clegg Street, Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001466/EC2_DO	52A Halifax Road, Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001487/EC2_DO	66 Chapel Street Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001515/EC2_DO	32 Ross Street Brierfield	Brierfield	08-Jan-18	FPN Duty of Care
18/001566/EC2_DO	42 Colne Road Brierfield	Brierfield	09-Jan-18	FPN Duty of Care
18/009655/EC2_FT	4 Humphrey Street, Brierfield	Brierfield	26-Feb-18	FPN Flytipping
<b>Total</b>			<b>9</b>	

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

S215 P	S21 5 C	Sec 46	Sec 79	Fixed penalty notices						
				FPN Abandoned Vehicle	FPN Fly tip	FPN Dog Fouling	FPN Litter from a vehicle	FPN DOC Business	FPN Litter	Total
123	116	15	0	1	4	1	2	8	5	21

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 Quarters 1, 2, 3 and 4 therefore, the balance remains at £1,002.00.

### **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.