

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: NELSON COMMITTEE

DATE: NOVEMBER 2018

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st July to 30th September 2018 in the Nelson area, (including spend on litter/ dog waste bins) along with annual totals for 2018/19, 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 101 properties during the period July to September 2018.

Section 215s completed

110 properties were dealt with under Section 215, but were cleared and the process completed during July to September 2018.

Section 215 completed by Legal

There has been one Section 215 Notice served by Legal from 1st July to 30th September.

Also, during this quarter, a further Section 215 Notice was served, but was withdrawn as an agreement was reached between the parties involved.

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 30 x Section 46 Notices opened by Environmental Services between 1st July and 30th September 2018.

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 was one Section 79 notice opened by Environmental Services between 1st July and 30th September 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 following actions were undertaken via a Community Protection process by Neighbourhood Services between July and September 2018.

Quarter 2 Actions	Nelson
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	5
Resolved after warning	1
Resolved before warning	7

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	
Prosecution	0	0	1	0	0	1
Breached Notice	0	0	3	0	0	3
Under Notice	3	0	2	4	1	10
Resolved after notice	1	2	6	7	0	16
Under Statutory Warning	1	1	3	19	3	27
Resolved after warning	1	4	14	27	3	49
Under Investigation	9	11	10	33	1	64
Resolved before warning	5	23	38	81	8	155
Total Actions	20	41	77	171	16	325

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 30 x Fixed Penalty Notices served in the period between 1st July and 30th September 2018 in the Nelson area by both Environmental and Neighbourhood Services.

Annual Summary of Environmental Crime Actions for 2018/19

Sec 215 P	Sec 215 C	Sec 46	Sec 79	Fixed Penalty Notices							Total
				FPN Duty of Care Household	FPN Fly Tip	FPN Littering	FPN Litter from vehicle	PSPO Dog Fouling	PSPO Dog off a lead	FPN Littering (Fly Tip)	
232	246	41	5	1	6	23	8	3	2	6	49

The table above summarises the total number of actions taken by Environmental Services in 2018/19.

Provision of litter / dog waste bins

Members are advised that due to wear, damage or a reduced need for the facility, 12 x bins have been replaced / removed by Environmental Services in the period July to September 2018.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Various	Replace outer and inner covers of F/S bins	LITTER	151.33
Southfield Street	Replace outer cover of F/S litter bin	LITTER	111.33
Swinden Hall Road	Replace 2 x post mounted litter bins	LITTER	262.36
Charles Street	Replace liner in post mounted litter bin	LITTER	20.00
Ringstone Crescent	Replace with a yellow post mounted litter bin	LITTER	151.18
Rakeshouse	Opp No. 21 - Reinstate & reattach	DOG	20.00

Road	dog bin		
Newfield Drive	Replace post and reattach dog bin	DOG	40.00
Rigby Street	Replace post and reattach litter bin to it	LITTER	40.00
Market Square	Drill a drainage hole in litter bin o/s the Pet Shop	LITTER	20.00
Broadway	Replace outer cover of FS litter bin on car park, near to Station Hotel	LITTER	111.33
Sagar Street	Replace inner of FS litter bin, under arches of railway bridge	LITTER	58.52
Netherfield Road	Replace post and reattach dog bin, next to muga	DOG	40.00
Swinden Hall Road	Replace 2 broken dog bins	DOG	213.04

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.