

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER
TO: WEST CRAVEN COMMITTEE
DATE: FEBRUARY 2019

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st October to 31st December 2018 in the West Craven area, (including spend on litter/ dog waste bins) along with the 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 5 properties during October to December 2018.

Section 215s completed

4 properties were dealt with under Section 215, but were cleared and the process completed during October to December 2018.

Section 215s completed by Legal

There were no Section 215's completed by Legal, from 1st October till 31st December 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 3 Section 46 Notices issued by Environmental Services between October and December 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 were no Section 79 Building Act Notices served by legal between October and December 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:

Current	Barrowford & Western Parishes	Brierfield & Reedley	Colne & District	Nelson	West Craven	
Prosecution	0	0	3	0	0	3
Breached Notice	0	0	2	1	0	3
Under Notice	2	0	0	3	1	6
Resolved after notice	2	2	8	9	0	21
Under Statutory Warning	1	1	4	24	0	30
Resolved after warning	1	5	14	28	6	54
Under Investigation	7	9	9	23	0	48
Resolved before warning	9	25	41	90	9	174
Total Actions	22	42	81	178	16	339

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

Quarter 3 Actions	West Craven
Prosecuted	0
Breached Notice	0
Notice Served	0
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	3
Resolved before warning	0

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 5 Fixed Penalty Notice served in the period between October and December 2018 in the West Craven area by Environmental Services.

Annual Summary of Environmental Crime Actions for 2018/19

S215 (P)	S215 (C)	Sec 46	Sec 79	Fixed penalty notices								
				FPN Duty of Care	PSPO Dog Off Lead	FPN Abandoned Vehicle	FPN Microchip Dogs	FPN Litter from a vehicle	FPN Fly Tip	FPN Litter	FPN Dog Fouling	Total
15	15	8	0	0	2	0	0	1	1	6	2	12

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 or damage, 3 bins have been replaced / removed by Environmental Services between October and December.

AREA	DESCRIPTION	BIN TYPE	COST PER BIN
Bailey Street, Earby	Reinstate FS litter bin at football pitches on rec ground	LITTER	40.00
Quernmoore Drive, Earby	Replace dog bin	DOG	106.52
Wentcliffe Drive, Earby	Reinstate dog bin	DOG	40.00

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.