

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER
TO: WEST CRAVEN COMMITTEE
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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st January 2019 to 31st March 2019 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 4 properties during January to March 2019.

Section 215s completed

6 properties were dealt with under Section 215, but were cleared and the process completed during January to March 2019.

Section 215s completed by Legal

There were no Section 215's completed by Legal, from 1st January till 31st March 2019.

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 no Section 46 Notices issued by Environmental Services between January and March 2019.

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 January and March 2019.

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	BWP	B&R	C&D	N	WC	Total	Active	Resolved	
Prosecution	0	0	2	0	0	2	2		
Resolved after Prosecution	0	0	0	0	0	0		0	
Breached Notice	1	0	2	2	0	5	5		
Under Notice	1	1	0	3	1	6	6		
Resolved after notice	2	2	8	9	1	22		22	99.24%
Under Statutory	2	0	6	19	0	27	27		

Warning										
Resolved after warning	1	5	15	36	6	63		63	91.60%	of cases resolved before notice
Under Investigation	9	9	12	25	2	57	57			
Resolved before warning	7	25	42	94	9	177		177	67.56%	of cases resolved before warning
Total Actions	23	42	87	188	19	359	97	262	72.98%	of cases resolved

The following actions were undertaken via a Community Protection process by Neighbourhood Services between January and March 2019:

Quarter 4 Actions	West Craven
Prosecuted	0
Breached Notice	0
Notice Served	1
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	3
Resolved before warning	0

Fixed Penalty Notices

In December 2018 The Council voted to pilot the use of District Enforcement for a 12 month trial period from Monday 18th February 2019. During the trial District Enforcement Officers will patrol town centres and any areas open to the public which the Council identifies as requiring attention due to on-going problems with littering, littering from vehicles or dog fouling.

In the period between January and March 2019, District Enforcement Officers issued 7 warnings and 18 Fixed Penalty Notices:

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	PSPO Dog Fouling	Total
19	21	8	0	1	2	1	0	1	1	21	3	30

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

Provision of litter / dog waste bins

Members approved a total allocation of £3,446.00 for 2018/19.

In March, £2,214.27 was deallocated from the West Craven budget, and in Quarter 4, four bins were erected / replaced leaving a balance of £681.00.

AREA	DESCRIPTION	BIN TYPE	COST PER BIN
Rainhall Road, Barnoldswick	Remove post mounted litter bin halfway down the ramp on Rainhall Road Car Park	LITTER	20.00
Rainhall Road, Barnoldswick	Erect 2 new F/S Litter Bins, one at top of steps, Rook St End, and one at Rainhall Rd end	LITTER	353.82
Fernbank Avenue, Barnoldswick	Erect a new F/S litter bin, at junc with Oakfield Avenue.	LITTER	176.91

Members are advised that due to wear or damage, 6 bins have been replaced/removed by Environmental Services between January and March.

AREA	DESCRIPTION	BIN TYPE	COST PER BIN
Valley Road, Earby	Remove large dog bin in Valley Gardens	DOG	40.00
Salterforth Lane, Salterforth	Replace post and re-attach the dog bin, behind the Anchor Inn	DOG	40.00
Lower North Avenue, Barnoldswick	Replace 3 post and re-attach dog bins	DOG	60.00
Water Street, Earby	Replace dog bin post and re-attach dog bin	DOG	40.00
Cemetery Road, Earby	Replace dog bin	DOG	126.52
Earby Cemetery, Earby	Replace the dog bin and post	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.