

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: BRIERFIELD & REEDLEY COMMITTEE

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st January to 31st March 2019 in the Brierfield and Reedley 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 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 26 properties during January to March 2019.

Section 215s completed

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

Section 215 completed by Legal

There have been no Section 215 Notices served by Legal between 1st January and 31st March 2019 and there have been no compliances during this quarter.

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 8 Section 46 Notices opened by Environmental Services between 1st January and 31st 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 Notices carried out by Environmental Services 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 within 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 Warning	2	0	6	19	0	27	27		
Resolved after warning	1	5	15	36	6	63		63	91.60%
Under Investigation	9	9	12	25	2	57	57		
Resolved before warning	7	25	42	94	9	177		177	67.56%
Total Actions	23	42	87	188	19	359	97	262	72.98%

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

Quarter 4 Actions	Brierfield
Prosecuted	0
Breached Notice	0
Notice Served	1
Resolved after notice	0
Statutory Warning Letter	0
Resolved after warning	0
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 2 warnings and 18 Fixed Penalty Notices.

Annual Summary of Environmental Crime Actions for 2018/19

S21 5 P	S21 5 C	Se c 46	Sec 79	Fixed penalty notices							Total
				FPN Litter (fly tip)	FPN Fly tip	FPN Dog Fouling	FPN Litter from a vehicle	FPN DOC House hold	FPN Litter	FPN Abandoned Vehicle	
105	102	30	2	2	1	3	0	2	16	1	25

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

Provision of litter / dog waste bins

Members allocated a budget of £1,002.26 for 2018/19. In March, £478.86 was spent, leaving a remaining balance of £523.40.

Members are advised that due to wear, damage or a reduced need for the facility, 6 bins were replaced / removed by Environmental Services in the period January to March 2019.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Churchill Way, Brierfield	Reinstate and repair Dog bin, near B & Q	DOG	40.00
Edge End Avenue, Brierfield	Replace post and reinstate into ground	DOG	20.00
Robinson Lane, Brierfield	Resite dog bin over the bridge	DOG	40.00
Borrowdale Drive, Reedley	Replace burnt out post mounted litter bin	LITTER	151.18
Lindred Road, Brierfield	Reinstate post and refit dog bin at nature reserve	DOG	20.00
Halifax Road, Brierfield	Reinstate F/s litter bin at junc Mansfield Crescent	LITTER	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.