

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: NELSON COMMITTEE

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Report Author: David Walker
Tel. No: 01282 661746
E-mail: david.walker@pendle.gov.uk

ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st January 2019 to 31st March 2019 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 154 properties during the period January to March 2019.

Section 215s completed

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

Section 215 completed by Legal

There has been one Section 215 Notice served by Legal from 1st January to 31st March.

There has been one compliance 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 50 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 was one Section 79 notice opened by Environmental Services between 1st January and 31st 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%	of cases resolved

										before prosecution
Under Statutory Warning	2	0	6	19	0	27	27			
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	Nelson
Prosecuted	0
Breached Notice	0
Notice Served	1
Resolved after notice	0
Statutory Warning Letter	4
Resolved after warning	7
Resolved before warning	5

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 13 warnings and 473 Fixed Penalty Notices.

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 House hold	FPN Abandoned Vehicle	FPN Sec 46	FPN Micro chip dogs	FPN Duty of Care	FPN Fly Tip	FPN Littering	FPN Litter from a vehicle	PSPO Dog Fouling	PSPO Dog off a lead	FPN Littering (Fly Tip)	
654	630	168	8	2	1	3	3	4	10	483	15	7	2	10	540

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 £66.44 for 2018/19, there has been no spend in quarters 1 to 4 leaving a balance of £66.44.

Members are advised that due to wear, damage or a reduced need for the facility, 14 bins have been replaced / removed by Environmental Services in the period January to March 2019.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Waidshouse Road	Replace dog bin post by Edge End Brook Greenway	DOG	20.00
Cobden Street	Replace F/S Litter bin and dog bin	DOG	303.43
Manchester Road	Remove PM litter bin by Colin Blakey Fireplaces, and erect a new F/S litter bin next to bench	LITTER	196.91
Carr Road	Replace PM litter bin at junc of Cross Street	LITTER	151.18
Waidshouse Road	Replace post and reinstate into ground	DOG	20.00
Rakes House Road	Reinstate dog bin into ground	DOG	20.00
Hey Street	Replace F/S litter bin by the playground	LITTER	216.91
Waidshouse Road	Replace outer cover of F/S litter bin and chain down at Quarry Hill	LITTER	131.33
Hibson Road	Remove F/s litter bin	LITTER	40.00
Windsor Street	Replace post and reinstate dog bin	DOG	20.00
Victoria Street	Replace F/S litter bin and chain down at canal bridge	LITTER	196.91
Lomeshaye Place	Reinstate F/S litter bin at motorway underpass	LITTER	20.00
Hibson Road	Replace F/s litter bin by subway underpass	LITTER	196.91

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.