

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER
TO: BARROWFORD & WESTERN PARISHES COMMITTEE
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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action from the 1st January to 31st March 2019 in the Barrowford 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

There were 3 Section 215 processes opened during January to March 2019.

Section 215s completed

There were 4 Section 215 Notices dealt with under Section 215 that was cleared in the process and completed during January to March 2019.

Section 215 completed by Legal

There were no properties served between 1st January and 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 5 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's 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% |
| | | | | | | | | | 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 | |
|--------------------------|---|
| Prosecuted | 0 |
| Breached Notice | 1 |
| Notice Served | 0 |
| Resolved after notice | 0 |
| Statutory Warning Letter | 1 |
| 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 one warning and 6 Fixed Penalty Notices.

Annual Summary of Environmental Crime Actions for 2018/19

| S215 (P) | S215 (C) | Sec 46 | Sec 79 | Fixed penalty notices | | | | |
|-----------------|-----------------|---------------|---------------|------------------------------|--------------------|----------------------------------|-----------------------------------|--------------|
| | | | | FPN Littering | FPN Fly tip | FPN Litter from a vehicle | FPN Micro chipping of dogs | Total |
| 7 | 12 | 16 | 0 | 7 | 1 | 1 | 0 | 9 |

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 £156.57 for 2018/19.

In Quarter 4, 2 bins were replaced / erected in the Barrowford and Western Parishes area leaving a balance of £4.69.

| AREA | DESCRIPTION | BIN | COST PER BIN |
|-----------------------|--|------------|---------------------|
| WHEATLEY CLOSE, Fence | Erect a hooded PM litter bin at entrance to car park for village hall | LITTER | 131.88 |
| CUCKSTOOL LANE, Fence | Relocated PM litter bin from Cuckstool Lane to Greenhead Lane/By Pass Junction | LITTER | 20.00 |

Members are advised that one bin was replaced / removed by Environmental Services within the period January to March 2019.

| AREA | DESCRIPTION | BIN | COST PER BIN |
|----------------|-------------------------------|------------|---------------------|
| Francis Avenue | Reinstate dog bin into ground | DOG | 20.00 |

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.