

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: COLNE AND DISTRICT 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 Colne 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 43 properties between January and March 2019.

Section 215s completed

44 properties were dealt with under Section 215, but were cleared and the process completed during 1st January to 31st March 2019.

Section 215 completed by Legal

There were 4 Section 215 Notices served between 1st January and 31st March 2019 in the Colne and District area.

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 19 Section 46 Notice 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 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 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	Colne & District
Prosecuted	1
Breached Notice	1
Notice Served	0
Resolved after notice	1
Statutory Warning Letter	3
Resolved after warning	1
Resolved before warning	1

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 January and March 2019, District Enforcement Officers issued 3 warnings and 200 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								
				FPN Duty of Care House hold	FPN Duty of Care	FPN Fly Tip	PSPO Dog Fouling	FPN Littering (Fly Tip)	PSPO Dog not on a lead	FPN Litter from a vehicle	FPN Litter	Total
176	191	46	0	2	2	5	9	2	5	5	200	230

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 £287.96. In quarter 4, one new bin was installed costing £106.52 leaving a remaining balance of £181.44.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Lidgett, Skipton Old Rd, Colne	New dog bin erected at entrance to "The Rough "	DOG	106.52

Members are advised that due to wear or damage, 15 bins were replaced / removed by Environmental Services within the period January to March 2019.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Mason Street, Colne	Reinstate dog bin at bottom of street	DOG	40.00
Byron Road, Colne	Replace outer cover of litter bin opposite the community centre	LITTER	111.33
Varley Street, Colne	Replace burnt out dog bin	DOG	126.52
Vivary Way, Colne	Reinstate Dog Bin on grass near to Lloyds BMW	DOG	106.52
Harrison Drive, Colne	Replace the dog bin at entrance to Holt House Playing Fields	DOG	126.52
Colne Lane, Colne	Replace outer cover of FS litter bin at junction with Chapel Fold	LITTER	111.33
Cotton Tree Lane, Colne	Reinstate dog bin firmly into ground	DOG	40.00
Gibfield Road, Colne	Replace outer cover and chain down litter bin	LITTER	131.33
Gibfield Road, Colne	Remove PM litter bin by No. 30	LITTER	40.00
Sycamore Rise, Foulridge	Reinstate dog bin on post near grit bin	DOG	20.00
Waterside Road, Colne	Replace dog bin - lid missing	DOG	126.52
Hagg Street, Colne	Remove burnt out dog bin and replace	DOG	126.52
Lune Street, Colne	Remove burnt out f/s litter bin, behind the police station and replace	LITTER	196.91
Wordsworth Road, Colne	Replace F/S litter bin, only base remaining	LITTER	196.91
Talbot Street, Colne	Replace posts and re-attach 2 dog bin	DOG	80.00

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.