

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: NELSON COMMITTEE

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ENVIRONMENTAL CRIME UPDATE

PURPOSE OF REPORT

To inform Members of the Environmental Crime action for 1st April 2019 to 30th June 2019 in the Nelson area, (including spend on litter/ dog waste bins) along with annual totals for 2019/20, 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 79 properties during the period April to June 2019.

Section 215s completed

104 properties were dealt with under Section 215, but were cleared and the process completed during April to June 2019.

Section 215 completed by Legal

There has been one Section 215 Notice served by Legal from 1st April to 30th June.

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 46 Section 46 Notices opened by Environmental Services between 1st April and 30th June 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 two Section 79 notices opened by Environmental Services between 1st April and 30th June 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	5	1	0	6	6		
Resolved after Prosecution	0	0	0	0	0	0		0	
Breached Notice	1	0	2	2	0	5	5		
Under Notice	1	0	0	7	0	8	8		
Resolved after notice	2	3	9	9	2	25		25	97.85% of cases resolved before prosecution
Under Statutory Warning	2	1	9	20	0	32	32		
Resolved after warning	3	5	17	36	6	67		67	91.04% of cases resolved before notice
Under Investigation	6	9	13	21	4	53	53		
Resolved before warning	10	25	43	99	10	187		187	67.03% of cases resolved before warning
Total Actions	25	43	98	195	22	383	104	279	of cases resolved

The following actions were undertaken via a Community Protection process by Neighbourhood Services between April and June 2019.

Quarter 1 Actions	Nelson	Actions	Resolutions
Prosecuted	0	1	
Breached Notice	1	4	
Notice Served	2	2	
Resolved after notice	0		2
Statutory Warning Letter	1	9	
Resolved after warning	4		8
Resolved before warning	5		11
	13	16	21

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 April and June 2019, District Enforcement Officers issued 838 Fixed Penalty Notices.

Annual Summary of Environmental Crime Actions for 2019/20

Sec 215 P	Sec 215 C	Sec 46	Sec 79	Fixed Penalty Notices								
				FPN Duty of Care House hold	FPN Sec 46	FPN Fly Tip	FPN Littering	FPN Litter from a vehicle	PSPO Dog Fouling	PSPO Dog off a lead	FPN Littering (Fly Tip)	Total
79	104	46	2	19	3	5	792	2	14	2	1	838

The table above summarises the total number of actions taken by Environmental Services in 2019/20.

Provision of litter / dog waste bins

Members allocated a budget of £66.44 for 2019/20, there has been no spend in quarter 1 leaving a balance of £66.44.

Members are advised that due to wear, damage or a reduced need for the facility, 10 bins have been replaced / removed by Environmental Services in the period April to June 2019.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Hey Street	Replace F/S litter bin on play area	LITTER	192.34
Waidshouse Road	Replace outer cover of F/S litter bin at entrance to Quarry Hill reserve	LITTER	131.33
Lowthwaite Drive	Replace post and reattach dog bin on footpath	DOG	20
Carr Road	Replace F/S litter bin next to CAFÉ ON CAR PARK	LITTER	192.34
Hibson road	Replace F/S litter bin and chain down o/s St Pauls School	LITTER	192.34
Brunswick Street	Re-attach dog bin to fence above Cloverhill Road	DOG	20
Walverden Park	Replace inner of F/S litter bin	LITTER	58.52
Waidshouse Road	Replace outer cover of F/S litter bin by bus shelter	LITTER	111.33
Walverden Park	Replace outer cover of F/S litter bin for grassed area at top	LITTER	111.33
Market Square	Drill holes in F/S litter bins	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.