

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 July 2019 to 30th September 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 214 properties during the period July to September 2019.

Section 215s completed

110 properties were dealt with under Section 215, but were cleared and the process completed during July to September 2019.

Section 215 completed by Legal

There has been no Section 215 Notices served by Legal from 1st July to 30th September.

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 100 Section 46 Notices opened by Environmental Services between 1st July and 30th September 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 opened by Environmental Services between 1st July and 30th September 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	1	0	0	1	1			
Resolved after Prosecution	0	0	1	2	0	3		3		
Breached Notice	0	0	7	4	0	11	11			
Under Notice	2	1	0	5	0	8	8		Of resolved cases:	
Resolved after notice	2	3	9	9	2	25		25	98.99%	resolved before

										prosecution
Under Statutory Warning	4	1	12	16	1	34	34			
Resolved after warning	5	4	16	38	6	69		69	90.54%	resolved before notice
Under Investigation	2	8	20	40	9	79	79			
Resolved before warning	13	29	43	102	12	199		199	67.23%	cases resolved before warning
									Of all cases:	
Total Actions	28	46	109	216	30	429	133	296	69.00%	have been resolved

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

Quarter 2 Actions	NELSON	Actions	Resolutions
Prosecuted	0	0	
Breached Notice	2	4	
Notice Served	2	4	
Resolved after notice	2		2
Statutory Warning Letter	2	9	
Resolved after warning	2		4
Resolved before warning	5		17
TOTAL	15	17	23

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 July and September 2019, District Enforcement Officers issued 782 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 Litter	FPN Litter from a vehicle	PSPO Dog Fouling	PSPO Dog off a lead	FPN Duty of Care Businesses	FPN Abandoned Vehicle	FPN Littering (Fly Tip)	Total
293	214	146	2	47	3	15	1512	2	36	2	1	1	1	1620

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 quarters 1 or 2, leaving a balance of £66.44.

Members are advised that due to wear, damage or a reduced need for the facility, 4 bins have been replaced / removed by Environmental Services in the period July to September 2019.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Netherfield Road, Nelson	Remove burnt out litter bin by footpath by railway underpass. Make hole safe.	LITTER	40.00
Boulsworth Crescent, Nelson	Replace dog bin on footpath	DOG	106.52
Every Street, Nelson	Remove PM litter bin outside No 191	LITTER	20.00
Dunderdale Ave, Nelson	Replace post and re-attach dog bin	DOG	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.