

COMMITTEE REPORT OCTOBER 2012

Environmental Protection Act 1990 Section 80

A Notice was served on the Contractors at the development site on Oakdale Road, Carlton on 16th August 2012 to prevent the occurrence of a statutory nuisance from smoke and smells as a result of burning any materials on the site. The Notice was complied with.

Housing Act 2004 Section 20

Two Orders were served on the owner of the property on St Michaels Avenue, Gedling, on 26th September 2012 to improve the housing conditions of the property, in relation to fire safety measures. The period for compliance has not yet expired.

An Order was served on the owner of the property on First Avenue, Carlton Hill on 12th October 2012 to prohibit the use of an unauthorised loft conversion. The period for compliance has not yet expired.

FOOD HYGIENE (ENGLAND) REGULATIONS 2006 Section 6

A Notice was served on the Food Business Operator for a business on Carlton Square, Carlton on 16th August 2012 to keep the property clean and maintaining good repair and condition. This is currently being monitored.

A Notice was served on the Food Business Operator for a business on Main Road, Gedling on 23rd August 2012 to keep the property clean and maintaining good repair and condition. This is currently being monitored.

A Notice was served on the Food Business Operator for a business on Main Road, Gedling on 23rd August 2012 to establish and maintain suitable documents and records to demonstrate the effective application of identification of potential food hazards. This is currently being monitored.

Two Notices were served on the Food Business Operator for a business on Victoria Road, Netherfield, on 18th September 2012 to keep the property clean and maintaining good repair and condition. This is currently being monitored.

Two Notices were served on the Food Business Operator for a business on Main Road Burton Joyce, on 26th September 2012 to keep the property clean and maintaining good repair and condition. This is currently being monitored.

Environmental Protection Act 1990 sections 87 and 88

Under the above legislation it is an offence if any person throws down, drops or otherwise deposits litter on any public land. The Act also enables the local Authority to operate a fixed penalty scheme whereby the offender may be given the option for paying a fixed penalty within 14 days and so discharge any liability of conviction for that offence by the Court. The current level of fixed penalty is £50.00.

Enforcement has been carried out by Officers for the following offences:

Date of Offence	Location of Offence	Ward	Person Witnessing Offence	Fixed penalty served	Paid	Comments
07.07.12	Victoria Road Netherfield	Netherfield & Colwick	Neighbourhood Warden	10.07.12	N	A case is being prepared by the Legal Department

		Ward				
07.07.12	Morris Street Netherfield	Netherfield & Colwick Ward	Neighbourhood Warden	10.07.12	Y	
07.07.12	Carlton Hill Carlton	Carlton Hill	Neighbourhood Warden	10.07.12	Y	
07.07.12	Carlton Hill Carlton	Carlton Hill	Neighbourhood Warden	10.07.12	Y	
07.07.12	Front Street, Arnold	St Marys	Neighbourhood Warden	10.07.12	Y	
07.07.12	Front Street Arnold	St Marys	Neighbourhood Warden	10.07.12	Y	
26.06.12	Honeywood Drive Carlton	Carlton Ward	Neighbourhood Warden	12.07.12	Y	
13.07.12	Victoria Road Netherfield	Netherfield & Colwick Ward	Neighbourhood Warden	16.07.12	Y	
21.07.12	Carlton Hill Carlton	Carlton Hill Ward	Neighbourhood Warden	24.07.12	N	Medical Reasons withdrawn after speaking with legal
21.07.12	Front Street, Arnold	St Marys	Neighbourhood Warden	24.07.12	N	A case is being prepared by the Legal Department
21.07.12	Blatherwicks Yard Arnold	St Marys	Neighbourhood Warden	24.07.12	N	Withdrawn due to more evidence received
30.07.12	Front Street, Arnold	St Marys	Neighbourhood Warden	31.07.12	Y	
30.07.12	Front Street, Arnold	St Marys	Neighbourhood Warden	31.07.12	N	A case is being prepared by the Legal Department
01.08.12	Front Street, Arnold	St Marys	Neighbourhood Warden	02.08.21	N	A case is being prepared by the Legal Department
01.08.12	Front Street, Arnold	St Marys	Neighbourhood Warden	02.08.12	N	A case is being prepared by the Legal Department
03.08.12	Nottingham Road Daybrook	Daybrook Ward	Neighbourhood Warden	07.08.12	Y	
11.08.12	Carlton Hill Carlton	Carlton Hill Ward	Neighbourhood Warden	14.08.12	Y	
11.08.12	Front Street. Arnold	St Marys	Neighbourhood Warden	14.08.12	N	A case is being prepared by the Legal Department
11.08.12	Front Street, Arnold	St Marys	Neighbourhood Warden	14.08.12	N	A case is being prepared by the Legal Department

11.08.12	Front Street, Arnold	St Marys	Neighbourhood Warden	14.08.12	Y	
24.07.12	Front Street, Arnold	St Marys	Neighbourhood Warden	08.08.12	N	A case is being prepared by the Legal Department
11.08.12	Carlton Hill	Porchester Ward	Neighbourhood Warden	17.08.12	N	A case is being prepared by the Legal Department
14.08.12	Front Street Arnold	St Marys	Neighbourhood Warden	15.08.12	Y	
18.08.12	Victoria Road Netherfield	Netherfield & Colwick	Neighbourhood Warden	28.08.12	Y	
04.07.12	Jubilee House Car Park	Daybrook	Neighbourhood Warden	28.08.12	Y	
08.09.12	Curzon Avenue, Carlton	Carlton Ward	Neighbourhood Warden	18.09.12	Y	
11.09.12	Whittingham Road, Mapperley		Neighbourhood Warden	18.09.12	Y	
19.09.12	Front Street, Arnold	St Marys	Neighbourhood Warden	20.09.12	Y	
14.09.12	Victoria Road, Netherfield	Netherfield & Colwick	Neighbourhood Warden	21.09.12	Y	
22.09.12	Arnold Market Arnold	St Marys Ward	Neighbourhood Warden	25.09.12	N	Reminder letter
22.09.12	Plains Road		Neighbourhood Warden	25.09.12	Y	
22.09.12	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	25.09.12	Y	
28.09.12	St Wilfreds Calverton	Calverton Ward	Neighbourhood Warden	29.09.12	Y	
28.09.12	Victoria Road, Netherfield	Netherfield & Colwick	Neighbourhood Warden	01.10.12	Y	
28.09.12	St Wilfrids Calverton	Calverton Ward	Neighbourhood Warden	29.09.12	Y	
29.09.12	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	02.10.12	Y	
02.10.12	Front Street, Arnold	St Marys	Neighbourhood Warden	04.10.12	Y	

The following cases have been taken at Nottingham Magistrates Court following investigations by the Neighbourhood Wardens.

Date of conviction	Legislation	Offence	Area offence committed	Judgement
18.07.2012	s.34 (6)Environmental Protection Act 1990	Duty of care	Daybrook	6 month Conditional Discharge costs £100
18.07.2012	s.34 (6)Environmental Protection Act 1990	Duty of care	Colwick	6 month Conditional Discharge costs £100
15.08.2012	s.87 Environmental Protection Act 1990	Littering offence	Arnold	fine £600 costs £150
15.08.2012	s.87 Environmental Protection Act 1990	Littering offence	Arnold	fine £400 costs £150
05.09.2012	s.87 Environmental Protection Act 1990	Littering offence	Arnold	fine £600 costs £180
12.09.2012	s.33 (6)Environmental Protection Act 1990	Fly-Tipping	Arnold	Fine £500 costs £295
19.09.2012	s.34 (6)Environmental Protection Act 1990	Duty of care	Stoke Bardolph	Fine £120 costs £200

The Dogs (Fouling of Land) Act 1996

Under the above legislation it is an offence if any person allows their dog to foul and not clear it away forthwith. Neighbourhood Wardens have taken statements from members of the public who have witnessed dog-fouling offences and have taken appropriate action. The details of the cases are as follows:

Date of Offence	Location of Offence	Ward	Person Witnessing Offence	Fixed penalty served	Paid	Comments
04.09.12	Park Road, Bestwood Village	Bestwood Village	Neighbourhood Warden	21.9.12	N	Reminder letter
03.10.12	Stanhope Road, Gedling	Gedling Ward	Neighbourhood Warden	11.10.12	N	Still in date