

COMMITTEE REPORT MARCH 2013

Environmental Protection Act 1990 Section 80

A Notice was served on the occupier of a property on Park Road, Bestwood on 4th January 2013 to prevent the accumulation of domestic refuse and furnishings at the rear of the property. This notice was not complied with and officers arranged for the work to be carried and will pass the charges associated with this to the owner.

Two Notices were served on the occupiers of a property on Wollaton Avenue, Gedling on 1st February 2013 to prevent noise from a number of dogs barking.

Local Government Miscellaneous Provisions Act 1982 Section29

A Notice was served on the owner of a property on Rolleston Drive, Arnold on 20th February 2013 to secure the property against unauthorised entry.

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
09.01.13	Eastham Road	Mapperley Plains Ward	Neighbourhood Warden	N/A	N/A	Warning letter sent as offender is under the age of 18yrs
26.01.13	Byron Street Daybrook	Daybrook Ward	Neighbourhood Warden	30.01.13	Y	
26.01.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	30.01.13	Y	
26.01.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	30.01.13	Y	
02.02.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	05.02.13	N	Reminder sent 20.02.13
02.02.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	05.02.13	N	Reminder sent 20.02.13
02.02.13	Wilford Square Calverton	Calverton Ward	Neighbourhood Warden	07.02.13	N	Under investigation
02.02.13	Wilford Square	Calverton Ward	Neighbourhood Warden	06.02.13	N	Reminder letter 20.02.13
09.02.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	13.02.13	N	Extended 19/03/13 to allow payment
12.02.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	13.02.13	Y	
13.02.13	Oxclose Lane Daybrook	Daybrook Ward	Neighbourhood Warden	13.02.13	N	
16.02.13	Victoria Road Netherfield	Netherfield & Colwick Ward	Neighbourhood Warden	20.02.13	Y	

16.02.13	Victoria Road Netherfield	Netherfield & Colwick Ward	Neighbourhood Warden	20.02.13	N	
16.02.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	20.02.13	N	

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
22.01.13	Mansfield Lane Calverton	Calverton Ward	Neighbourhood Warden	06.02.13	N	Reminder letter

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
03.02.13	s.87 Environmental Protection Act 1990	Littering	St Marys Ward	Fine £50 £15 Victim Surcharge
03.02.13	s.33 Environmental Protection Act 1990	Fly-tipping	Calverton Ward	Fine £100 £50 cost £15 Victim surcharge
03.02.13	s.87 (6)Environmental Protection Act 1990	Littering	Netherfield Ward	Fine £600 £15 victim surcharge £180 Costs
03.02.13	s.87 (6)Environmental Protection Act 1990	Littering	Netherfield Ward	Fine £600 £180 Costs £15 victim surcharge
03.02.13	s.87 (6)Environmental Protection Act 1990	Littering	St Marys Ward	Fine £600 Costs £180 £15 victim surcharge

Information for members

Fly tipping Section 33 EPA 1990

Fly tipping is the act of depositing waste in or on any land that does not have a Waste Management license that permits the deposit. The definition of waste is simply any substance or object that the holder discards (Throwing away waste on land that doesn't have a permit or permission)

Duty of Care Section 34 EPA 1990

Duty of care is a legal duty on anyone who produces or carries and disposes of waste to ensure that waste is transferred only to an authorised person such as a local authority, a registered carrier or a licensed disposer. (Residents must ensure that if they pass waste onto anyone (with or without payment) they must ensure that they check for a waste carriers license to comply with their duty)