

## **COMMITTEE REPORT MAY 2013**

### **Environmental Protection Act 1990 Section 80**

A Notice was served on the occupier of a property on Foxhall Road Central, Carlton on 13<sup>th</sup> March 2013, to prevent a dog barking at the property from causing statutory noise nuisance.

A Notice was served on the occupier of a property on Hodgkinson Street, Netherfield on 20<sup>th</sup> March 2013, to cease, or cause other persons at the property to cease playing music at such a volume to cause statutory noise nuisance.

A Notice was served on the occupier of a property on Third Avenue, Carlton on 23<sup>rd</sup> March 2013, to prevent an accumulation of domestic and garden waste at the front of the property.

### **Health & Safety at Work Etc Act 1974 Section 22, 23, and 24**

A Prohibition Notice was served on the tenant and Manager of a property on Front Street, Arnold on 27<sup>th</sup> March 2013, to prevent the use of the CMA Electrically Heated Café Boiler with associated safety valve, pressure gauge and high temperature cut-out, so as not to cause injury to any persons at the premises. The Notices were complied with and the boiler is now safely back in use.

### **Food Hygiene (England) Regulations 2006 Regulation 17 (1)**

Two Notices were served on the owner of a property on Main Street, Burton Joyce on 26<sup>th</sup> March 2013, to take measures needed to comply with the Regulations, to ensure provision of documented food hygiene management system and to ensure that food handlers are supervised and instructed in food hygiene matters.

### **Housing Act 2004 Section 11 & 12**

An Improvement Notice was served on the owner of a property on Carlton Hill, Carlton on 19<sup>th</sup> April 2013, to take remedial action to improve the premises to an acceptable standard, the works should be completed by the 17<sup>th</sup> September 2013.

### **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
23.02.13	Oxclose Lane	Daybrook Ward	Neighbourhood Warden	28.02.13	N	With Legal
19.03.13	Nottingham Road Arnold	Daybrook Ward	Neighbourhood Warden	20.03.13	Y	
18.03.13	Jubilee House Car Park	Daybrook Ward	Neighbourhood Warden	21.03.13	N	Not Served
05.04.13	Victoria Road Netherfield	Netherfield & Colwick Ward	Neighbourhood Warden	08.04.13	Y	
05.04.13	Victoria Road Netherfield	Netherfield & Colwick	Neighbourhood Warden	08.04.13	Y	

		Ward				
06.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	09.04.13	Y	
20.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	23.04.13	N	With Legal
20.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	23.04.13	N	With Legal
20.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	23.04.13	Y	
11.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	22.04.13	Y	
11.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	22.04.13	Y	
23.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	24.04.13	N	Reminder Letter
27.04.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	30.04.13	N	Reminder Letter
01.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	02.05.13	N	False details given

### **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
05.03.13	Foxhill Road Carlton		Neighbourhood Warden	08.03.13	Y	

### **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 imports, produces, carries, keeps or disposes of controlled 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 carrier's license to comply with their duty)