

NOTICES SERVED – ENVIRONMENTAL PROTECTION

Environmental Protection Act 1990 Section 80

1. A notice was served on a property on Eastham Road, Arnold on 1st September 2006 to cease the performance of amplified electric guitars and drum kit at such a volume as to cause a statutory noise nuisance. There have been no further complaints since the notice was served.
2. A notice was served on a business on Church Lane Linby on 11th September 2006 to stop the noise from dogs barking at the premises causing a statutory noise nuisance. The time for compliance has not yet expired.
3. A notice was served on a property on Jessops Lane, Gedling on 12th September 2006 to cease the performance of amplified electric guitars and drum kit at such a volume as to cause a statutory noise nuisance. There have been no further complaints since the notice was served.
4. A notice was served on a business on High Street, Arnold, on 15th September 2006 to control the volume of music and karaoke so as to prevent causing a statutory nuisance. Investigations are still ongoing by officers from the Environmental Protection Section.
5. A notice was served on a property on Sherbrook Terrace, Daybrook on 10th October 2006 to cease the playing of amplified music at such a volume as to cause a statutory noise nuisance. There have been no further complaints since the service of the notice.
6. A notice was served on a property on Hawthorn Walk, Carlton on 17th October 2006 to clear away an accumulation of wood and bags of rubbish and other household effects from the rear yard. The occupier is arranging to have this cleared by our Direct Services Department.

Public Health Act 1936 s.78

1. A notice was served on 11 properties on York Street, Wallet Street and Forester Street, Netherfield requiring the occupiers that gain access to their properties by the use of the passage at the rear of the properties to regularly sweep and keep clean and free from rubbish and other accumulations. The Notice has been partially complied with. Gedling Borough Council's Direct Services Department then thoroughly cleared remaining rubbish and vegetation and cleansed.

Local Government (Miscellaneous Provisions) Act 1976 s.35

1. Notices were served on 5 properties on Spray Close, Colwick on 24th August for the clearance of a blocked private sewer. This was cleared in default and the costs will be recovered.
2. Notices were served on 7 properties on Elm Grove, Arnold on 12th September for the clearance of a blocked private sewer. This was cleared in default and the costs will be recovered.
3. Notices were served on 3 properties on Broadfields, Calverton on 14th September for the clearance of a blocked private sewer. This was cleared in default and the costs will be recovered.

4. Notices were served on 5 properties on Ramsdale Road, Carlton on 14th September for the clearance of a blocked private sewer. This was cleared in default and the costs will be recovered.

Local Government (Miscellaneous Provisions) Act 1982 s.29

The above legislation empowers Local Authorities to take immediate action to secure buildings which pose a danger to those who may enter the property or cause damage to it. The Neighbourhood Wardens received information regarding a property on Dunstan Street and information was obtained from local residents regarding the misuse of fireworks in the area by young people. Officers were concerned that a firework could be thrown through smashed windows. Attempts were made to contact the owner, all of which were unsuccessful. On the lead up to bonfire night the Neighbourhood Wardens arranged for the building to be secured and the costs will be recovered from the owner in due course.

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
01.09.06	Front Street, Arnold	St Marys	Neighbourhood Warden	14.09.06	N	Details have been passed to the Legal Department
07.09.06	Front Street, Arnold	St Marys	Neighbourhood Warden	14.09.06	N	Details have been passed to the Legal Department
05.09.06	Winthorpe Road, Arnold	St Marys	Member of Public	14.09.06	N	No further action. Witness not willing to go to Court
22.07.06	Thackerays Lane, Woodthorpe	Woodthorpe	Member of Staff	14.09.06	Y	
07.08.06	Mansfield Road, Arnold	St Marys	Neighbourhood Warden	26.09.06	Y	
12.07.06	Mansfield Road, Arnold	St Marys	Neighbourhood Warden	26.09.06	Y	
14.09.06	Front Street, Arnold	St Marys	Neighbourhood Warden	28.09.06	Y	
21.09.06	Front Street, Arnold	St Marys	Neighbourhood Warden	28.09.06	Y	
05.09.06	Front Street, Arnold	St Marys	Member of Public	28.09.06	N	Details have been passed to the Legal

						Department
01.08.06	Porchester Road, Mapperley	Porchester	Neighbourhood Warden	28.09.06	Y	
02.06.06	Honeywood Drive, Carlton	Carlton		29.09.06	N	No further action to be taken after discussing with Legal Department
29.09.06	Front Street, Arnold	St Marys	Neighbourhood Warden	29.09.06	Y	
30.09.06	High Street, Arnold	St Marys	Neighbourhood Warden	12.10.06	Y	
29.08.06	High Street, Arnold	St Marys	Neighbourhood Warden	17.10.06 (returned by Post Office)	N	Difficulty in locating alleged offender.
29.08.06	Nottingham Road, Arnold	Daybrook	Neighbourhood Warden	18.10.06	N	No further action to be taken. Incorrect address given.
02.10.06	Mansfield Road, Woodthorpe	Woodthorpe	Member of Staff	20.10.06	Y	
02.11.06	Thackerays Lane, Woodthorpe	Woodthorpe	Neighbourhood Warden	02.11.06	Y	

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
22.09.06	Burton Road, Carlton	Carlton	Neighbourhood Warden	28.09.06	N	Legal investigations regarding ownership of land are being carried out.