

Report to Environment and Licensing Committee

Subject: Notices Served
Date: 17 December 2013
Author: Corporate Director

1. Notices served under the Environmental Protection Act 1990 Section 80

Following complaints from a member of public, a notice was served on the owner of a property on Northside Walk, Arnold on 8th October 2013 to clear away accumulations of household waste from the land and maintain the area in such a condition as not to cause a subsequent statutory nuisance. Officers from the Council's Waste Department visited the property on 28th October 2013 to carry out works in default, and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Honeywood Drive, Carlton on 29th October 2013 to stop any banging or thudding noises emanating from the property at such volume or regularity as to constitute a statutory nuisance. Officers are currently investigating a breach of this notice and further legal action is being considered.

Following complaints from a member of public, a notice was served on the owner of a property on Chandos Street, Netherfield on 31st October 2013 to clear away and dispose of all refuse and furnishings at the rear of the property, ensuring all items are disposed of in an authorised manner. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Victoria Road, Netherfield on 1st November 2013 to clear away and dispose of all waste items, furnishings and litter on land to the rear of this property, ensuring all items are disposed of in an authorised manner. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Stonehouse Terrace, Newstead on 8th November 2013 to clear away and properly dispose of the accumulation of household waste and debris from the front and rear of the property. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

2. Notices Served under the Health and Safety at Work Etc Act 1974 Sections 21, 23 & 24

Following a visit to the premises on 30th October 2013, a notice was served on a Premises on Front Street, Arnold on 30th October 2013, due to an uneven section of flooring within the property causing a trip hazard. This notice has been complied with.

3. Notices Served under the Food Hygiene (England) Regulations 2006 – Regulation 6

Following a visit to the premises on 2nd October 2013, 3 Food Hygiene Improvement Notices were served on a Premises on Main Street, Woodborough on 8th October 2013, due to inadequate food safety documentation and requiring further training of food handlers. The premises was awarded a 0 rating under the Food Hygiene Ratings Scheme. These notices have been complied with and officers are continuing to monitor this premises, and the premises will be re-rated in due course.

Following a visit to the premises on 4th October 2013, 2 Food Hygiene Improvement Notices were served on a Premises on Meadow Road, Netherfield on 10th October 2013, due to a lack of adequate documentation relating to food practices and procedures and poor hygiene practices and procedures. The premises was awarded a 0 rating under the Food Hygiene Ratings Scheme. These notices have been complied with and officers are continuing to monitor this premises, and the premises will be re-rated in due course.

Following a visit to the premises on 14th October 2013, 2 Food Hygiene Improvement Notices were served on a Premises on Carlton Hill, Carlton on 23rd October 2013 to ensure an adequate supply of hot and cold running water. These notices have been complied with.

Following a visit to the premises on 30th October 2013, a Food Hygiene Improvement Notice was served on a Premises on Front Street, Arnold on 30th October 2013, due to a lack of adequate training of staff. This premises will be monitored for compliance with this notice.

4. Notices Served under the Housing Act 2004 Section 16

Following complaints from the tenant of a property on Carlton Hill, Carlton, 6 Housing Improvement Notices were served on the landlord of the property to rectify numerous issues with regards to the general disrepair of the property. Officers will monitor the premises for compliance with these notices.

5. Notices Served under the 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
05.10.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	Y	
05.10.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	False details given
08.10.13	Civic Centre, Arnold	Kingswell Ward	Neighbourhood Warden	Y	Y	
08.10.13	Byron Street, Daybrook	Daybrook Ward	Neighbourhood Warden	Y	Y	
12.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
12.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
15.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
28.10.13	Coppice Road, Arnold	Killisick Ward	Neighbourhood Warden	Y	N	Sent to Legal 21.11.13
28.10.13	Breck Hill Road, Woodthorpe	Woodthorpe Ward	Neighbourhood Warden	Y	N	
29.10.13	Civic Centre, Arnot Hill Park	Kingswell Ward	Neighbourhood Warden	Y	Y	
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	Y	
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	Sent to Legal 21.11.13
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	Chasing with Newark & Sherwood District Council
16.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	
16.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	

The following cases under the above legislation have been referred to court:

Hearing Date	Case	Outcome
18.11.13	Section 87 EPA	Proved - £200 Fine, £20 Victim Surcharge, £270 Costs

6. Recommendation

To note the contents of the report.