

Report to Environment and Licensing Committee

Subject: Notices Served
Date: 1st July 2014
Author: Corporate Director

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

Following complaints from a member of the public, a notice was served on the owner of a property on Brookwood Crescent, Carlton on 28th March 2014 to prevent the occurrence of a statutory nuisance from smoke and smells as a result of burning any materials on the premises. No further complaints have been received regarding this issue and officers are continuing to monitor compliance with this notice.

Following complaints from a member of the public, a notice was served on the owner of land on Killisick Lane, Arnold on 25th April 2014 due to an accumulation of bird and animal feed on the land. Officers will monitor the area for compliance with this notice.

Following complaints from a member of the public and a visit to the property on 15th April 2014, a notice was served on the owner of a property on Revena Close, Colwick on 16th April 2014 to clear away and properly dispose of the accumulation of household waste and furniture from the land. This notice was not complied with and works were carried out in default.

2. Notices Served under the Environmental Protection Act 1990 Section 92A(1)

Following a routine walkabout by a Neighbourhood Warden on 5th March 2014, a notice was served on the owner of a property on Tilford Road, Newstead on 2nd April 2014 to clear the rear yard of litter and refuse and take steps to ensure that the land is prevented from being defaced in a similar way again. A visit was made to the premises on 15th May 2014 and it was noted that some items have been removed but a large amount of waste remains in situ and arrangements will now be made for works to be carried out in default.

3. Notices Served under the Food Safety and Hygiene (England) Regulations 2013 - Regulation 6

Following an inspection of the premises on 14th January 2014, two notices were served on the owner of a premises on Victoria Road, Netherfield on 23rd January 2014, due to the lack of a written food safety management system being in place and inadequate food hygiene awareness among food handlers. These notices have both been complied with.

Following complaints from a member of the public and a visit to the premises on 10th & 11th March 2014, a notice was served on the owner of a premises on Oxclose Lane, Arnold on 13th March 2014 due to inadequate provision for the storage and disposal of food waste, a lack of cleanliness in the refuse store area and inadequate management of these issues. This notice has been complied with.

Following an inspection of the premises on 10th April 2014, five notices were served on the owner of a premises on Carlton Square, Carlton on 22nd April 2014 due to the poor condition and cleanliness of the premises, fixtures and fittings, inadequate food hygiene awareness among food handlers, inadequate training and management of food handlers, and a lack of a complete written food safety management system. This premises will be monitored for compliance with these notices.

Following an inspection of the premises on 22nd April 2014, a notice was served on the owner of a premises on Front Street, Arnold on 23rd April 2014 due to the lack of a written food safety management system being in place. This premises will be monitored for compliance with this notice.

Following an inspection of the premises on 8th May 2014, four notices were served on the owner of a premises on Private Road, Colwick on 14th May 2014 due to poor cleanliness of fixtures and fittings, poor cleanliness of the premises, inadequate provision for the storage and disposal of food waste, a lack of cleanliness in the refuse store area, and the lack of an appropriate written food management system being in place. This premises will be monitored for compliance with these notices.

4. Notices Served under the Local Government (Miscellaneous Provisions) Act 1982 Section 29

Following complaints from a member of the public and a visit to the property on 1st May 2014, a notice was served on the owner of a property on Main Street, Calverton on 6th May 2014 due to outbuildings at the property not being effectively secured against unauthorised entry. The necessary works have been completed and this notice has been complied with.

5. Notices Served under the Housing Act 2004 Section 11

Following complaints from the occupier and a visit to the property, a notice with four Category 1 schedules was served on the owner of a property on Standhill Road, Carlton on 8th May 2014 due to a lack of adequate heating, electrical hazards, inadequate provision of fire escapes and inadequate security at the property. This property will be monitored for compliance with this notice.

6. 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 |
|-----------------|---------------------------------------|-----------------------|---------------------------|----------------------|------|----------------------|
| 12.04.2014 | Carlton Hill, Carlton | Carlton Hill | Neighbourhood Warden | Y | N | Reminder sent |
| 17.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | Y | |
| 23.04.2014 | Worrall Avenue / Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Reminder sent |
| 24.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | Y | |
| 25.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Reminder sent |
| 25.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Reminder sent |
| 25.04.2014 | Market Area, Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Passed to Legal |
| 25.04.2014 | Eagle Square, Arnold | St Marys | Neighbourhood Warden | Y | N | Passed to Legal |
| 25.04.2014 | Nottingham Road, Arnold | Daybrook | Neighbourhood Warden | Y | N | False details |
| 25.04.2014 | Nottingham Road, Daybrook | Daybrook | Neighbourhood Warden | Y | Y | |
| 25.04.2014 | St Wilfrid's Square, Calverton | Calverton | Neighbourhood Warden | Y | Y | |
| 25.04.2014 | Nottingham Road, Arnold | Daybrook | Neighbourhood Warden | Y | N | Within 14-day period |
| 26.04.2014 | Curzon Street, Netherfield | Netherfield & Colwick | Neighbourhood Warden | Y | N | Passed to Legal |
| 28.04.2014 | Market Area, Front Street, Arnold | St Marys | Neighbourhood Warden | Y | Y | |

| | | | | | | |
|------------|-----------------------|--------------|----------------------|---|---|----------------------|
| 28.04.2014 | Eagle Square, Arnold | St Marys | Neighbourhood Warden | Y | N | False details |
| 29.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Within 14-day period |
| 30.04.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Within 14-day period |
| 30.04.2014 | Carlton Hill, Carlton | Carlton Hill | Neighbourhood Warden | Y | Y | |
| 30.04.2014 | Carlton Hill, Carlton | Carlton Hill | Neighbourhood Warden | Y | N | Within 14-day period |
| 14.05.2014 | Eagle Square, Arnold | St Marys | Neighbourhood Warden | Y | N | Reminder sent |
| 14.05.2014 | Front Street, Arnold | St Marys | Neighbourhood Warden | Y | N | Within 14-day period |

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

| Hearing Date | Case | Outcome |
|--------------|----------------|---|
| 02.04.2014 | Section 87 EPA | £100 fine, £180 costs, £20 victim surcharge |
| 02.04.2014 | Section 87 EPA | £100 fine, £180 costs, £20 victim surcharge |

7. Notices Served under 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 |
|-----------------|-----------------------|---------|---------------------------|----------------------|------|------------------------------|
| 06.05.2014 | Station Road, Carlton | Carlton | Neighbourhood Warden | Y | N | Withdrawn on medical grounds |

8. Recommendation

To note the contents of the report.