

# Clean Neighbourhood and Environment Act 2005

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# Meeting Objectives

- The CNEA – in brief – Where it has come from
- Outline of key points
  - Crime and Disorder
  - Waste Management
  - Anti Social Behaviour
  - Dog Control
  - Nuisances
- Implementation
- Challenges

# The CNEA – in brief

- CNEA is a result of studies carried out since 2002 around 'Living Places – Cleaner, Safer, Greener' under the central governments 'Liveability Agenda'
- Liveability:
  - ❖ Preserve green spaces
  - ❖ Ease traffic congestion
  - ❖ Restore a sense of community

# The CNEA – in brief (Cont)

- Survey found ‘power, duties and guidance for dealing with problems...were not working as effectively as they should be...’
- The public expect:
  - ❖ Education and Health Services will improve
  - ❖ Services centred on the environment will get worse
  - ❖ “The Act will help LA’s ability to deal with environmental issues to promote improved living and open areas”

# The CNEA – in brief (Cont...)

- CNEA comprises of 111 sections
- Strengths of the Act:
  - Tying up loose ends within:
    - » Environmental Protection Act 1990
    - » Anti Social Behaviour Act 2003
    - » Town and Country Planning Act 1990
    - » Noise Act 1996
    - » Refuse Disposal (Amenity) Act 1978
    - » Control of Pollution (Amendment) Act 1989
    - » Crime and Disorder Act 1998

# The CNEA – Crime and Disorder

- Introduce a 'gating order' to temporarily close off alleyways / roads
- 2 new offences created for 'selling or repairing vehicles on the road' introduced with a new FPN
- Ability to immediately remove and destroy abandoned vehicles and introduce a FPN
- Offence of dropping litter – now includes cigarette materials and chewing gum – FPN of £75 – *anywhere in the open air*
- Ability to charge owner for abandoned shopping and luggage trolleys

# The CNEA – Crime and Disorder

- Power to issue 'litter clearing notices'
- Immediate offence to fail to comply – fines up to £2500
- Power to issue 'Street Litter Notices' targeting street venders
- Power to control distribution of free literature if proven to be an issue by creating a 'designated area'

# The CNEA – Anti Social Behaviour

- ❖ Issuing of FPN's for Graffiti and fly-posting  
~ £75
- ❖ Making it harder for beneficiaries of fly-posting/adverts to evade prosecution
- ❖ Power to issue removal notices 'within 28 days'
- ❖ Recovery of cleaning costs
- ❖ Restricting sale of Aerosol Paints



# The CNEA – Dog Control

- Dog Control Orders
  - ❖ Creation of new Dog Control Orders for our borough
  - ❖ Can exclude dogs from an area; limit numbers being walked by one person; keeping of dogs on leads
- Stray Dog Collection
  - ❖ Removes the responsibility of the police for dealing with stray dogs

# The CNEA – Waste Management

- ❖ Able to serve notice on owner if no occupier found to clear rubbish
- ❖ Removal of loop hole ‘acting on employers instructions’ [Fly-tipping]
- ❖ Increased fines
- ❖ Ability to remove waste if owner can not be found
- ❖ Reclaim costs through prosecution
- ❖ Offence to transport controlled waste if not registered
- ❖ Certifies that registration [waste carrier] is no longer free of charge

# The CNEA – Waste Management

- Issue of FPN (£300) for failing to have correct documentation [Waste Transfer]
- Power to stop, search and seize vehicles in use, or about to be used as well as power of entry to a premises (Spring 07)
- Can now issue FPN's (£100) for failing to use correct receptacle for collection of waste where it has been specified [Household collections]
- Request details concerning waste movement / disposal plans for new construction/demolition sites

# The CNEA - Nuisances

- Power to close a noisy premises for 24hrs if a public nuisance
- FPN level increased (£500) for licensed premises at night and use of receipts
- Specification of an 'alarm notification area'
- Power of entry to silence alarms and ability to recover expenses incurred
- Two new classifications:
  - ❖ Light
  - ❖ Insects

# Implementation

Phase 1 – Current sections implemented and consultation completed

Phase 2 – Dog Control Order and other Sections reviewed

Phase 3 – Complete implementation



Oct

Nov

Dec

Jan

Feb

Mar

Apr

May

Jun

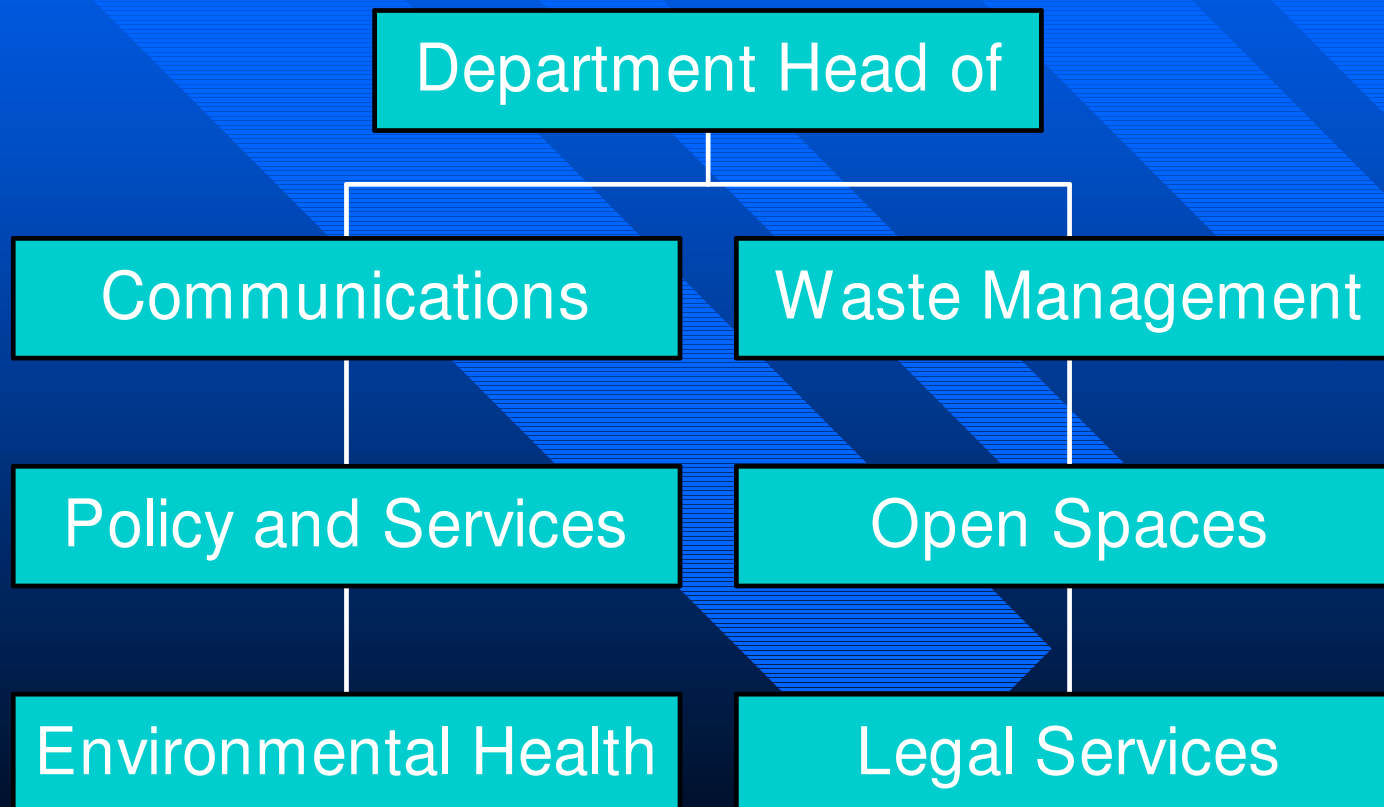
July

Aug

NB – 2 Sections now confirmed for implementation in late 06 and Spring 07

# Implementation

CNEA Project Working Group



# Challenges

- Education and communication
  - Businesses
  - Individuals
  - Groups
- Timescales for implementation
  - 2 Sections now confirmed for Autumn 06 / Spring 07

# Summary

- Allows main authority to utilise 'authorised officers' within other areas
  - Town & Parish Councils \*
  - Housing Associations
  - Neighbourhood Wardens
- Greater joined up working with various groups/agencies
- Simpler and more effective powers to address environmental issues

\* Required to complete specific training before implementing – no funding available – not required to use powers