

Cleaning up our act

The Clean Neighbourhoods Act will become law in Northern Ireland on 1 April 2012.

This will strengthen some powers which we already have and introduce a number of additional powers which will allow us to deal with environmental offences more effectively.

1. Fly-posting and graffiti

The new act will strengthen the existing law to allow us to deal more effectively with fly-posting and graffiti:

- We will be able to issue £80 fines to graffiti and fly-posting offenders.
- We can serve Defacement Removal Notices for graffiti and fly-posting, placing responsibility on the property owner to remove it.
- Venue owners and event promoters will be held responsible for any fly-posting in connection with events that are being promoted in their premises.

i For more information on litter call us on **028 9027 0230** or visit **www.belfastcity.gov.uk/streetcleaning**

3. Noise



The Clean Neighbourhoods Act extends much of our existing powers under the Noise Act 1996.

Alarms

We will have additional powers to deal with noisy alarms.

We will be able to silence the alarm, and recover the costs from the alarm owner, if:

- it has been sounding for more than 20 minutes continuously or intermittently for more than 1 hour;
- it is causing reasonable annoyance to those living or working nearby; and
- a keyholder for the property cannot be contacted.

We will also be able to create Alarm Notification Areas where owners of alarms situated must, by law, register keyholder information.

If complaints are received about alarms in these areas, and keyholder details are not available, then the owner can be fined.

You can register your keyholder details at www.belfastcity.gov.uk/noise or call 9037 3006.

The act deals with six broad areas:

- fly-posting and graffiti;
- litter;
- noise;
- dog control orders;
- gating orders;
- nuisance vehicles and statutory nuisances (such as rubbish in gardens, artificial lighting or fumes).

The Department of Environment is managing the introduction of the act and will issue guidance on how the new powers will be implemented.

Here we detail these changes.



2. Litter

The new act will strengthen the existing law relating to litter, which will enable us to deal with litter problems more effectively.

Dropping litter

- Fines for littering will increase from £50 to £80.
- It will be an offence to drop litter in lakes, ponds or any watercourse, including drains.
- We will be able to prosecute those who give false details.

Littered property

- We will be able to issue 'Litter Clearing Notices' to businesses and individuals to make them clear litter from their land.
- If you don't comply with the notice we will fine you £110.

Litter outside businesses

With 'Street Litter Control Notices' we will be able to order shops, restaurants, pubs and take-aways to clear up litter they create in front of their premises.

Leaflets

- We will have powers to restrict the distribution of flyers, hand-outs and pamphlets that can end up as litter.
- We will designate areas of the city where leaflet distribution causes litter and anyone wishing to distribute leaflets in the newly designated areas will have to apply to us for consent to do this.
- The consents will include conditions to control distribution and stop littering.
- Anyone who is caught handing out leaflets in designated areas without consent will receive an £80 fine or can be prosecuted.

i For more information on litter call us on **028 9050 0501** or visit **www.belfastcity.gov.uk/antilitter**

Night time noise

Our powers under the Noise Act 1996 which apply to night time noise (11pm to 7am) from residential dwellings will now extend to cover noise from licensed premises.

We will be able to deal with premises such as entertainment venues that are found committing night time noise offences. This may result in a fine, prosecution or seizure of sound systems, DJ decks or other noise making equipment.

Noise in the street

- We will be able to investigate complaints about noise from vehicles, machinery or equipment in the street such as vehicle security alarms, portable generators.
- We can issue an abatement notice on the person responsible, giving a timeframe for them to reduce or stop the noise.
- General traffic noise from vehicles travelling on roads is not covered by this legislation.

i For more information on litter call us on **028 9037 3006** or visit **www.belfastcity.gov.uk/noise**



4. Gating orders



From April we will be able to make our own gating orders. Gating orders are the legal orders which allow us to install alley-gates in any part of the city. These orders will be subject to approval from the Department of Environment (DOE).

By making our own gating orders, along with the approval of the DOE, we can:

- install alley-gates on any road, street or back street in the Belfast City Council area; and
- restrict public access to any road or back street using alley-gates if we think it will help reduce the risks of crime or antisocial behaviour.

We can also remove any alley-gate we have previously installed if we feel that the gate is no longer needed, and if the risks of crime or antisocial behaviour no longer exist.

i For more information on alley-gates call **9027 0469** or go to www.belfastcity.gov.uk/communitysafety

6. Dog control orders

Under the dog control section of the act, we can create up to four different orders which will help us better manage dogs in the city.

If introduced these orders could:

- prohibit dog fouling (allowing us to increase the fine for dog fouling);
- make it an offence to allow your dog off its lead in designated areas;
- exclude dogs from designated areas; and
- limit the number of dogs that one person can be in control of at any one time.

We intend to create a citywide dog control order for fouling, which, following consultation, will come into operation in

5. Nuisance and abandoned vehicles



Under the Clean Neighbourhoods Act we will be able to issue fixed penalty notices for both abandoned and nuisance vehicles.

Nuisance vehicles

A nuisance vehicle is when a business causes an obstruction by having vehicles on the road. For example if it is:

- making money from selling two or more vehicles within 500m of each other on a road, or
- carrying out repairs to vehicles on a street.

If we find a business causing an obstruction in this way we can fine them £100.

Abandoned vehicles

If we are made aware of an abandoned vehicle we will work with police and the Driver Vehicle Agency (DVA) to trace owner of vehicle and decide which action to take.

Abandoned vehicles may be:

- untaxed;
- not linked to a current vehicle keeper on the DVAs record;
- stationary for a long time;
- badly damaged, run down or unroadworthy;
- burnt out;
- lacking one or more of its number plates; or
- filled with waste.

Under the new legislation, if appropriate, we can issue:

- a £200 fixed penalty to the vehicle owner; and
- a seven day notice to remove the vehicle, after which we can remove and dispose of it.

i For information on abandoned vehicles call **9027 0656** or go to www.belfastcity.gov.uk/waste

October 2012. In the meantime, under the litter order, anyone caught allowing their dog to foul will be issued with a £50 fixed penalty or prosecuted.

We are also researching how viable the other dog control orders would be for Belfast. If we think a particular order could be used here, we will develop ideas around how we could implement it. We will seek your views and any proposed changes will be approved by your councillors.

i For updates on consultations and changes to dog control legislation call **9027 0431** or go to www.belfastcity.gov.uk/dogwardens

