

## **Notice: IP21 4RX, Free Range Chicken Limited: environmental permit issued**

The Environment Agency publish permits that they issue under the Industrial Emissions Directive (IED).

This decision includes the permit and decision document for:

- Operator name: Free Range Chicken Limited
  - Installation name: Rushall Farm
  - Permit number: EPR/QP3134DZ/A001
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## **Notice: NG13 9PE, E & S Mayman Limited: environmental permit issued**

The Environment Agency publish permits that they issue under the Industrial Emissions Directive (IED).

This decision includes the permit and decision document for:

- Operator name: E & S Mayman Limited
  - Installation name: Staunton Field Farm
  - Permit number: EPR/XP3830WY/A001
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## **Press release: Worcestershire man sentenced for waste offences**

Yesterday (16 August 2017), Mark Smyth, aged 40, from Pershore, Worcestershire was sentenced to 12 months imprisonment suspended for 18 months, with 200 hours unpaid work following a prosecution brought by the Environment Agency at Worcester Crown Court. He was also ordered to pay £10,000 compensation to the landowner and disqualified from acting as a company director for 7 years.

Mr Smyth, who was the sole director of Arrow Gypsum Recycling Ltd, pleaded guilty to breaching the company's environmental permit condition and was found guilty of failing to comply with an enforcement notice served by the

Environment Agency,

## **Events leading to the prosecution**

During early 2015, the Environment Agency received a report that gypsum waste was being stored outside the building on the site. The conditions of the environmental permit stipulated that waste must be stored within the building, to avoid any risk to the environment.

Further investigations established that Mr Smyth had abandoned the site, leaving 29 tonnes of gypsum plasterboard outside the building and in excess of 5,000 tonnes inside the building. Attempts were made by Environment Agency officers to speak to Mr Smyth about the permit breach and clearance of the material outside. When Mr Smyth failed to respond, a formal enforcement notice was served, requiring him to clear the waste he abandoned on the site he rented at Crucible Business Park in Norton, Worcester. Mr Smyth ignored the enforcement notice.

## **Comments during the court hearing**

During the trial the defendant claimed not to have received the enforcement notice. This was not accepted by the Magistrates, who found the defendant did receive the notice, but chose to bury his head in the sand and ignore it.

Environment Agency officers have worked with an agent of the landowner to clear the site, at a cost of £450,000. At Worcester Crown Court, His Honour Judge Cole, found that the substantial clean up costs was a serious aggravating feature of the case. It was clear to the court that once the processing of the gypsum waste ceased and the building became full, Mr Smyth should have stopped accepting the waste, but he did not. He deliberately continued accepting waste, leading to the breach of the permit; waste being stored outside. Mr Smyth ignored his responsibilities as the director of the company and left the waste on the site at considerable cost to the landowner.

In mitigation the court heard that Mr Smyth intended to operate the business in line with the permit when he took over the business in 2013, but when the processing of the waste stopped, he had contracts that had to be honoured, so he carried on accepting the waste.

HHJ Cole suspended the term of imprisonment, taking into consideration the potential impact on Mr Smyth's 12 year daughter and her mother, along with Mr Smyth's previous good character.

Speaking after the case, an Environment Agency officer in charge of the investigation said:

Waste crime is a serious offence with tough penalties as it can damage the environment, blight local communities and undermine those who operate legally. This case sends out a clear message that we will not hesitate to take action against anyone that fails to comply.

You can call the Environment Agency on 0370 850 6506 to find out how to responsibly manage any waste your business produces or visit the [manage your waste](#) GOV.UK pages.

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## [Speech: British High Commissioner welcomes Kenya's National Super Alliance's decision to take election challenge to the Supreme Court](#)

**Reporter: What is your view on Raila Odinga's decision to go to the supreme court?**

British High Commissioner: We in the international community have never had a candidate or a preference in this election, we have strongly supported the constitution and the electoral process, and our work has been to strengthen that. Since the election finished, since the result was announced, we have been very clear that there is a process under the constitution for challenging that result, through the Supreme Court, and anybody who is unhappy should follow that process. So I very warmly welcome the decision by Raila Odinga to follow the Supreme Court process, this gives him and anyone else the chance to present all the evidence that they have, to argue their

case, and to let justice decide on the verdict.

**Reporter: Do you think the National Super Alliance (NASA) have enough evidence to sustain a case in court, based on what you've observed?**

British High Commissioner: I can't determine that... I am here to represent a country that cares about Kenya's institutions and its constitution. The parties will clearly want to produce the evidence that they have, there will be a process for that, there will be a process for working it through on all sides, and I think that is exactly right; this is how these things are decided under the rule of law and under the constitution.

**Reporter: Given most election observation missions have the case the thumbs up, do you think the opposition have a solid case and evidence to present for the court to give a fair and just judgment?**

British High Commissioner: I am not a lawyer and I haven't seen the evidence that they have and so I am not going to judge on whether their case is solid or not, that is for the court to decide. [The evidence] is for them to pull together, but as I say we support this process and we very much welcome the opposition's decision to follow the process laid down in the constitution. Meanwhile we call on Kenyans to remain calm, to allow the process to take its course. People have a right to march in the streets, to express their views, but those demonstrations that do occur need to remain peaceful and everybody needs to wait for the case to play out.

**Reporter: Initially NASA had said that court was not an option for them, but they have now changed their minds, in your opinion, do you think this will help unite the country in these days of much tension?**

British High Commissioner: I think it is a very positive move, as I say your constitution sets out very clearly how this process works, how people can challenge the results, and a number of candidates from both sides have taken that option, in their own races across the country. I very much welcome the opposition's decision to take [this course of action]. We've always been very clear that there is a way of challenging this, as set out in your constitution, and that is the [route] we as friends of Kenya would like to see all parties [take]. We welcome their decision.