

Court orders former Northumberland recycling business to pay over £50,000 after breaching environmental regulations

On Tuesday 24th September at South Tyneside Magistrates Court a former Northumberland-based recycling business and its director were ordered to pay a combined amount of £54,365 in fines and compensation after being found guilty of failing to comply with legal obligations.

This follows an investigation by the Environment Agency (EA) resulting in Northern Compliance Ltd and its director Vincent Francis Eckerman pleading guilty for their failure to finance the cost of Waste Electrical and Electronic Equipment (WEEE) collection, treatment, recovery or disposal of household WEEE items, as per their obligations in 2017.

Northern Compliance was an EA approved WEEE compliance scheme established to assist businesses meet their producer obligations under the WEEE Regulations.

There were two charges recorded, one against Northern Compliance Ltd and the second against Vincent Eckerman as company director.

For the period of 31 December 2016 and 1 April 2018, Northern Compliance Ltd also failed to pay the WEEE Compliance Fee Fund a substantial amount estimated to be in the region of £1,108,862, payment of which would have resulted in them conforming to their obligations under the WEEE regulations for 2017.

Director of Northern Compliance Ltd, Mr. Vincent Eckerman, aged 59 of Castlefield, Prudhoe told the court the company missed its WEEE collection targets due to a 'perfect storm' of problems with suppliers. Mr. Eckerman then realised he would be unable to pay the compliance fee as he hadn't been prepared for the sum to be as high as it was.

The penalties included the company being ordered to pay £50,900 in compensation to the WEEE Compliance Fee Fund, where the compliance fee should have initially been paid by 31 March 2018.

The second charge saw Mr. Eckerman being ordered to pay a £2,295 fine with a £170 victim surcharge and £1,000 court costs.

Prosecuting for the Environment Agency, Rebecca Chalkley told the court that Mr. Eckerman had flagrantly disregarded the law, and his arguments stating he was not to blame amounted to "smoke and mirrors".

When sentencing Northern Compliance Ltd and Mr. Eckerman, District Judge Begley commented "I found his evidence verbose and lacking in clarity...he simply has not done what I would expect of a man with his experience...and he

had been reckless and significantly undermined the regulatory regime.”

District Judge Begley further commented that the figures he imposed for fines and compensation would have been higher had the defendants had the ability to pay.

Electrical and electronic equipment (EEE) is regulated to reduce the amount of waste electrical and electronic equipment (WEEE) incinerated or sent to landfill sites.

Reduction is achieved through various measures which encourage the recovery, reuse and recycling of products and components.

David O’Toole, Regulated Industry Programme Manager for the Environment Agency, said:

Rules and regulations are in place for people and organisations to abide by and when those legalities are broken we aim to bring the perpetrators to justice. In this case, Northern Compliance Ltd have paid the ultimate price as the company is no longer trading having had its authorisation revoked and Mr Eckerman now has a criminal conviction.

We respect the sentencing restrictions with which the Judge had to work to in this case. This prosecution shows that where a Producer Compliance Scheme fails to meet their financing obligations under the WEEE Regulations, the Environment Agency will not hesitate to take robust enforcement action against Compliance Schemes and individuals, to prevent the WEEE Regulatory regime being undermined.

Hopefully this will make other companies in a similar position of responsibility think twice about breaking the law and pay their compliance fees.