

Devon fly-tipper who failed to clear waste in court for contempt

Press release

Fly-tipper Vitor Da Silva has been fined after he failed to clear illegally dumped waste from a field in Dacombe near Newton Abbot.



The waste included vehicles, furniture, white goods and gas bottles

Da Silva, 54, of Barton Road, Torquay, was given a conditional discharge for 12 months by Plymouth Magistrates last February. He had pleaded guilty to dumping waste without an environmental permit between January 2019 and August 2020. The conditional discharge would be breached if he failed to clear the site by the end of May 2022. And he was told to provide proof that the rubbish had been properly transferred to a legitimate site permitted to accept such waste.

Last Wednesday (14 September) Da Silva appeared before magistrates for contempt after he failed to clear the waste, which included vehicles, furniture, white goods and gas bottles, by the deadline. He was fined £100 and ordered to pay £80 costs after showing evidence that he has now cleared the waste.

Phil Butterworth of the Environment Agency said:

Da Silva had been given ample time to dispose of the waste to a properly licensed site. Sadly, he chose to ignore his responsibilities.

Unfortunately, anyone who used Da Silva's services would have also failed in their duty of care to ensure a waste carrier has an environmental permit. By having proof that a person is licensed to remove waste, you can be sure your rubbish is properly disposed of.

At February's hearing, Da Silva was also ordered to pay costs of £500 plus a £22 victim surcharge.

Da Silva pleaded guilty earlier this year to knowingly causing or knowingly permitting the carrying on of a waste operation on land at the junction of Downaway Lane and St Marychurch Road, Dacombe, Newton Abbot in respect of which no environmental permit was in force between 13 January 2019 and 18 August 2020, Contrary to regulations 38(1)(b) and 12(1)(a) of the Environmental Permitting (England and Wales) Regulations 2016.

As part of the sentence, a Reg 44 Order was imposed requiring the site to be cleared of rubbish by 31 May 2022.

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