

Devon landowner took 23 times the legal limit of waste from haulier

The director of a waste haulage company and a landowner have been ordered to pay £6,435 for illegally depositing thousands of tonnes of waste on farmland near Tiverton.

In 2016 CB Plant Hire was contacted by a third party to use land off the A361 for the disposal of waste. The site, near Redhills Farm, Uplowman, is owned by Stephen Dibble of Bycott Farm, Halberton.

Following complaints, an Environment Agency officer visited the site and found waste being deposited on a large scale. Dibble had already partially filled a valley with waste. There was every indication he intended to continue depositing waste.

Dibble confirmed he was using the waste imported by CB Plant Hire to return land formerly known as Tiverton Motocross back to agricultural use.

A waste exemption allows landowners to reuse up to 1,000 tonnes of soil and subsoil for specific purposes. But it was revealed Dibble had accepted over 23,500 tonnes of waste at Tiverton Motocross and lacked planning permission from Devon County Council.

Dibble said his farm business had been struggling financially and that he didn't feel he'd done anything wrong, as he had been relying on advice from third parties.

Marie Sinead Berry, a director of CB Plant Hire, whose company transported the waste to the Tiverton Motorcross site, admitted she had failed to carry out her normal duty of care checks and had 'taken her eye off the ball'.

Richard Tugwell of the Environment Agency said:

It is essential haulage contractors and landowners are fully aware of their responsibilities when using waste and take action to ensure they stay within the terms of a waste exemption.

This was a sustained abuse of an exemption for financial gain. Importing more than 23 times the maximum amount of waste to this site changed the appearance of the landscape.

Appearing before Exeter magistrates, Marie Sinead Berry, of Moorhayes Farm, Uffculme, Cullompton, was fined £120 and ordered to pay £3,500 costs after pleading guilty to between 16 May 2016 and 7 September 2016 operating an unauthorised waste disposal facility on land previously known as Tiverton Motorcross, Sampford Peverell, Tiverton, contrary to regulations 12 (1) and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2016.

Stephen Dibble, of Bycott Farm, Halberton was fined £265 and ordered to pay £2,490 costs after pleading guilty to the same offence.

Both defendants were also ordered to pay a victim surcharge of £30 each. Berry referred to herself in court by her maiden name, Ms Sinead Gallagher. The case was heard on 7 June 2019.