

# Press release: South West Water fined for sewage pollution near shellfish beds

South West Water has been ordered to pay £205,000 in fines and costs for discharging sewage into the Fal estuary in Cornwall. The case was brought by the Environment Agency.

On 26 August 2013 untreated sewage overflowed from the water company's Newham sewage treatment works near Truro into the Fal, an internationally important shellfishery, Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

The illegal spill occurred after a piece of redundant grating fell and partially blocked an inlet at the works, causing sewage to back up and overflow into the estuary via a storm storage outfall. The spill continued for about 9.5 hours, during which time enough sewage escaped to fill 4,563 bath tubs (730,000 litres).

The discharge occurred close to mussel and oyster beds at Malpas and Grimes Bar. As a precaution, these shellfisheries were temporarily closed by Cornwall Port Health Authority because of the possible risk of contamination by harmful viruses and bacteria such as Norovirus and e.coli.

The decision to close the shellfish beds was taken just before the start of the commercial harvesting season (1 October). Although most harvesting is done during the commercial season, there is a risk small quantities of shellfish may be hand-picked by individuals outside of this time and there would have been a potential risk to those consumers.

Sewage at the Newham treatment works normally undergoes a high level of treatment (tertiary) including ultra violet (UV) that kills bacteria and disinfects effluent. An UV disinfection system is required at this site because of the Fal estuary's designation as a shellfishery.

The sewage discharged over a bank holiday on 26 August was settled and screened, but otherwise untreated and occurred outside of a storm event. This would have resulted in a significant increase in levels of bacteria in parts of the Fal estuary and meant the treatment works was in breach of its Environment Agency permit.

Mark Pilcher, team leader for the Environment Agency in west Cornwall, said:

It is essential large sewage works bordering estuaries with conservation designations and also containing shellfish beds are operated and inspected to a high standard to prevent unpermitted sewage spills posing risks to public health and the environment.

In this case an inspection programme or removal of a redundant grating structure would have removed the risk of this grating falling into the sewage works and blocking it leading to the spill of sewage.

South West Water Limited was fined £185,000 plus £20,000 costs after pleading guilty to 2 offences under the Environmental Permitting Regulations 2010 including, on 26 August 2013, causing pollution of the Fal estuary through the illegal discharge of sewage and failing to maintain a saline tank valve at its Newham sewage treatment works. The water company was fined £175,000 for the first offence and £10,000 for the second. The case was heard at Truro Crown Court on 15 February 2017.

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## **Press release: Construction company to pay £54,000 for polluting East Sussex river**

Interserve Construction Limited (ICL) has been fined £54,000 with £5,955 costs after admitting a single incident of discharging silt-laden water into a tributary of the River Rother in Burwash, East Sussex on 1 October 2014.

ICL was contracted to South East Water over an 18-month period at the Crowhurst Bridge Water Treatment Works to improve South East Water's ability to manage water treatment. The Environment Agency discovered a brown discharge downstream of the Works after a member of the public reported the discoloured water to them.

Further investigations showed that the river was visibly but locally impacted on a temporary basis.

In mitigation it was stated that this was an isolated incident of 25 minutes duration, during an 18-month contract and that the company was of previous good character. There was no evidence that local wildlife was adversely affected.

David Willis, Environment Manager at the Environment Agency, said:

We take these incidents very seriously and do everything within our powers to safeguard the environment and people that may be affected.

## Contact

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## [Notice: NG23 5TQ, 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: Upton Poultry Farm
  - Permit number: EPR/HP3236DH/A001
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## [Press release: West Midlands company director handed penalty by court for waste offences](#)

On 16 February 2017, Jaskaran Bhandal, Director of Oakham Environmental Waste & Recycling Ltd, Oak Farm, Kingswinford, West Midlands pleaded guilty at Wolverhampton Magistrates' Court to 1 count of failing to remove waste from the site, and 1 count of operating a waste site without an authorised environmental permit.

Mr Bhandal was fined £1,332, ordered to pay £3,265 in costs, along with a £120 victim surcharge and disqualified from being a company director for 5 years.

The charges were brought by the Environment Agency under Section 59(5) and 157 of the Environmental Protection Act 1990 and contrary to Regulations 12(1)(a) and 38(1)(a) and 41 (1)(b) of the Environmental Permitting (England and Wales) Regulations 2010.

Environment Agency Officers had been working with Oakham Environmental Waste

& Recycling Ltd to bring the site into compliance under their environmental permit until it was revoked. This decision was upheld at an appeal made to the Planning Inspectorate, and the company was ordered to remove all the waste from the site by 2 July 2014.

Officers visited the site in November 2015 and saw that significant amounts of new waste had been deposited at the site. Officers made a number of enquires and determined that the waste had been deposited by Oakham Environmental Waste & Recycling Ltd, after their permit had been revoked.

Officers served a Notice to Oakham Environmental Waste & Recycling Ltd in May 2016 to remove all the illegally deposited waste by 19 November 2016. Officers visited the site on 22 November 2016 and noted some attempts had been made to remove the waste but the vast majority remained in situ.

Mr Bhandal was interviewed and admitted to knowing the site did not hold the relevant permits to carry out the work undertaken, he also accepted he was unable to comply with the Notice served but this was due to financial reasons.

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

The successful prosecution of this case should send out a clear message that the Environment Agency is adopting a robust approach to ensuring those who flout the law are brought to justice. Despite extensive previous efforts to work with the company and seek compliance, it became apparent that prosecution remained the only option to deal with this matter appropriately.

In mitigation, the court heard that the defendant had pleaded guilty at the first available opportunity, had co-operated with the Environment Agency during the interview and that he was sorry for the offences committed.

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## **Press release: Wiltshire site owner fined for obstructing Environment Agency staff**

Trying to stop Environment Agency staff from doing their jobs saw a businessman convicted of obstruction.

Bart Critchly-Clark, of Mill Lane, Monkton Combe, Bath, initially allowed environmental officers onto his premises at Riverway in Trowbridge. But after

it was explained they were there to investigate claims of an illegal waste site, he became uncooperative. He refused to give his address. He refused to give his date of birth. And to stop officers from taking photographs of the premises, Critchly-Clark closed the entrance shutters.

To operate a business which manages waste, you must have an environmental permit from the Environment Agency. It details what can and cannot be done, to prevent impact on the environment and local community. To enforce this, Environment Agency staff have legal powers of entry and inspection.

In this case, the Environment Agency officers returned the next day, accompanied by police officers, gained access and finished their investigation.

Critchly-Clark pleaded guilty to a charge of intentional obstruction of an environment officer under the Environment Act 1995 and was fined £200 and ordered to pay £330 costs at Swindon Magistrates Court on 31 January.

Environment officer Huw Williams said:

The majority of the businesses we visit are welcoming and happy to work with us. But the Environment Agency has a zero tolerance approach to obstruction and threatening behaviour on our staff and we will not hesitate to prosecute.