

Press release: Farmers warned after court issues £19,000 fine

Farmers are being warned of their responsibilities to properly store slurry and silage after a dairy farmer and his company were fined £19,162 for twice polluting a protected watercourse.

John Laing and his company Dalbury Ltd, which operates New Heaton Farm in Cornhill-on-Tweed, Northumberland, was sentenced at Newcastle-upon-Tyne Magistrates' Court on 25 January 2017, after pleading guilty to two charges of polluting a tributary that flows into the River Till and another for failing to improve a silage storage unit.

Chris Bunting, prosecuting for the Environment Agency, advised the court that little had been done to prevent the continued leaking of silage into the watercourse to date since the initial incident in June 2014.

This is in contravention of the regulations, which requires farmers to ensure that slurry and water stores, silage clamps and diesel tanks are built to minimise the risk of their contents polluting water or land.

Significant negative impact

Environment Agency officers inspected New Heaton Farm on 16 June 2014 after responding to a report of pollution on the River Till tributary 1.5km downstream.

The tributary, which flows into a Site of Special Scientific Interest (SSSI), was showing signs of sewage fungus and discolouration corresponding with pollution caused by silage and slurry. Pollution was subsequently found to extend over 4km downstream and had a significantly negative ecological impact.

On the farm officers found a large amount of silage effluent flowing from a defective silage store into surface water drains that fed directly into the watercourse.

On 10 October 2014, Environment Agency officers served a notice on Dalbury Ltd requiring the company to carry out improvements to the silage in line with regulations. A further inspection on 1 June 2015 revealed that the works had still not been completed and silage effluent continued to leak into the watercourse.

Insufficient funds to fix problem

In mitigation the defendants apologised and explained that the continued cripplingly low price paid to dairy producers over recent years meant the farm had insufficient funds to fix the problem.

Passing sentence, District Judge Kate Meek ruled that the offenders' culpability had been high, and ordered that the defective silage clamp be brought up to standard by 30 June 2017 otherwise further action could be taken.

Neil Paisley, Senior Agriculture Officer at the Environment Agency, said:

John Laing and Dalbury Ltd repeatedly showed a disregard for the law and a disregard for the environment.

Pollution of any watercourse is a serious offence because of the devastating impact it can have on fish, wildlife and ecosystems. We will take action against anyone who fails to act in accordance with environmental laws.

Regulations governing the design of slurry stores, silage clamps and diesel tanks have been in place since 1991 yet we regularly come across new farm structures that are not compliant. Farmers need to be aware of their legal responsibilities.

Anyone planning to build structure must contact the Environment Agency before starting work. Not only will this ensure their plans are compliant, it will save them money in the long run.

Press release: Environmental charities receive over £1.5 million from businesses which broke environmental laws

Updated: Change of tense in one paragraph

Companies which broke environmental laws – either by polluting rivers, breaching permit conditions designed to protect communities or avoiding recycling – have agreed to make payments to a range of charities and have pledged to make improvements to avoid future offences.

30 charities and projects will benefit from the bumper pay-out of £1,564,761.09. The money will be spent by local groups on projects that will make a direct positive impact on the environment. Stretches of rivers will be cleaned up, native species will be restocked into rivers and communities groups will invest in parkland for everyone to enjoy.

There are 26 Enforcement Undertakings on the new list with payments ranging from £1,500 – £375,000, including 6 companies that have agreed to make 6 figure payments:

- Northumbrian Water Limited (£375,000) for pumping raw sewage into a tributary of the River Tyne.
- Filippo Berio UK Limited (£253,906.91) for failing to recover or recycle packaging waste.
- Anglian Water Services Limited have made two separate payments (£100,000 and £100,000) both for causing pollution incidents which killed fish.
- Heineken UK Limited (£160,000) for causing a pollution incident which killed fish.
- Kerry Ingredients UK Limited (£127,975) for causing a pollution incident which killed fish.
- Sandoz Limited (£120,932.23) for failing to recover or recycle packaging waste.

As well as making a suitable payment to an appropriate environmental charity, each company has accepted liability, demonstrated restoration of harm and invested to reduce the risk of similar breaches occurring in future.

The Environment Agency's ability to accept Enforcement Undertakings was extended in 2015 to a far wider range of offences. The Environment Agency is increasingly using this method of enforcement for suitable cases to swiftly restore the environment, improve practices of the offending company and avoid longer criminal court cases. However prosecutions will still be taken, particularly in the most serious cases.

Peter Kellett, Legal Director for the Environment Agency said:

We take pollution incidents very seriously and the payments of £1.5 million we're announcing today are the result of our firm but fair enforcement action and will benefit people and the environment across the country.

Enforcement Undertakings allow those who commit offences to restore the environment and to take steps to prevent a recurrence. When appropriate, they allow a quicker resolution than a prosecution and help offenders who are prepared to take responsibility for their actions to put things right with their local communities.

Stephen Trotter, Director, The Wildlife Trusts England, said:

The principle that a polluter should make amends for the damage they've caused makes good sense. We all depend on a healthy environment and this positive scheme allows some natural improvements to be funded which otherwise wouldn't happen. Clearly it would be better if these incidents hadn't happened in the first place – but at least something positive has come out of it.

Hertfordshire & Middlesex Wildlife Trust will use the money to help conserve and protect rare chalk streams and Surrey Wildlife Trust will support a range of projects including care of their heathlands through conservation grazing and Hedgerow Heroes, a citizen science project, to restore the remarkable network of hedges across the county that act as green corridors for wildlife.

The Wildlife Trusts also welcome the deterrent effect that these Enforcement Undertakings should have. It's really important that people understand their responsibilities and care for the natural world – it's also cheaper and makes business sense to do things cleanly than risk causing damage and pollution.

Restoration projects are in addition to work initially carried out to minimise environmental damage caused by pollution. Companies or members of the public are urged report pollution to the Environment Agency's 24/7 hotline on 0800 80 70 60. Environment Agency officers respond to limit damage to the environment and protect people and wildlife.

Several six-figure payments have been made for not recovering and recycling packaging. All companies producing packaging have a responsibility to recycle or pay for recycling to compensate and failure to follow packaging regulations will result in enforcement action and financial penalties.

- The list of enforcement undertakings is published here:
<https://www.gov.uk/government/publications/enforcement-undertakings-accepted-by-the-environment-agency>

[Guidance: Algal blooms: advice for the public and landowners](#)

Algae naturally occur in inland waters, estuaries and the sea. Blooms can form when their numbers become excessive. This guide describes the features of algal blooms, how they can affect you and what you should do if you see one.

[Statutory guidance: Bass fishing](#)

[guidance 2017](#)

Updated: Bass guidance updated

If you fish for bass commercially or recreation you will need to comply with the rules for:

- where you can catch bass
- how much bass you can catch
- the minimum size you can keep

[Press release: Company agrees to £50,000 charitable contribution amidst pollution allegations](#)

Integrated Waste Management (IWM) has agreed to pay £50,000 to the Lincolnshire Wildlife Trust following allegations of pollution in Winteringham.

In July 2015 the Environment Agency (EA) received a report of dead fish in the Haven Drain in Winteringham. Upon further investigation the EA found dead fish and low ammonia, indicating that pollution had taken place. 90 dead fish were counted, with EA officers estimating that 403 fish had been killed over a 4.4km stretch of watercourse.

EA officers traced the pollution back to the vicinity of Winterton North Landfill, a site which is operated by IWM. A leak as well as some blockage issues were found on-site.

Following the incident, IWM agreed to pay £50,000 to the Lincolnshire Wildlife Trust. It also agreed to put measures in place to prevent a similar incident from occurring in the future, and paid £7,041.70 in costs to the EA.

The Environment Agency uses civil sanctions, enforcement notices and stop notices along with prosecutions, to either improve performance or stop sites from operating. The Environment Agency's use of civil sanctions is in line with recent legislation extending their availability for more offences.

Civil sanctions such as these can be a proportionate and cost-effective way for businesses to make amends for less serious environmental offences.

Simon Mitchell, Environment Manager with the Environment Agency, said:

At the Environment Agency we work hard on a day-to-day basis to protect the environment. In this particular case of pollution, the impact on the environment was limited. The company co-operated with our investigation and responded quickly to the incident.

This is why we decided that an Enforcement Undertaking would be an appropriate way to sanction the company while contributing positively to the environment.

We will still choose to prosecute offenders in the most severe cases.

The Enforcement Undertaking requires Integrated Waste Management to:

- Make a donation of £50,000 to the Lincolnshire Wildlife Trust
- Make improvements to site operations
- Pay Environment Agency £7,041.70 in costs

Failure to comply with an EU may result in the offender being prosecuted for the original offence. Details of Enforcement Undertakings accepted by the Environment Agency can be found on our [website here](#).

ENDS

Notes to editors:

- On or about 15 July 2015, Integrated Waste Management Ltd failed to comply with a condition of its Environmental Permit for a regulated facility at Winterton North Landfill Site. This was contrary to Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2010.
- The EU was accepted on 31 August 2016.