

Press release: Wiltshire man handed suspended prison sentence for running illegal waste activity

Mr. Robert Cooper, 78, of Hicks Leaze Farm, Chelworth appeared at Swindon Magistrates Court on Monday 5 June 2017 for operating a regulated waste facility without the necessary environmental permit (contrary to regulations 12 (1)(a) and 38 of the Environmental Permitting Regulations 2010) at the Farm between 9 April 2014 and 10 July 2014.

The defendant had pleaded guilty at an earlier hearing on 15 May but the case was adjourned for a pre-sentence report due to the facts of the case and his previous waste offences.

Mr Cooper was given a 12 week prison sentence, suspended for 2 years and ordered to perform 200 hours of unpaid work. The court also ordered Mr Cooper to pay the Environment Agency's full costs of £13,027.35

Mr Howard McCann prosecuting, told the court how the Environment Agency started investigations following complaints from members of the public about the burning of material in December 2013, and the sheer number of lorries dumping waste on site from April 2014 onwards.

Environment Agency officers visited the site and witnessed large quantities of waste including 4 large mounds of construction and demolition (C&D) waste, the largest of which was measured at approximately 65 metres long, 7 metres high in places and between 5 to 7 metres wide. Officers estimate a total of about 8,285 cubic metres of waste on site. The farm is about the size of 9 football pitches. Mr Cooper allowed people to tip their mixed waste for up to £40 per load, treated it by sorting the materials and then burning some of it.

Mr Cooper charged people between £10 (green waste) and £40 per 20-tonne load (C&D waste). Given the main waste mounds discovered by officers, they calculated that Mr Cooper could have made more than £23,000 from his illegal activities. The court found that Mr Cooper's actions were deliberate and that the environmental harm was localised due to the presence of plasterboard, chemical drums and leachate seen on site. The justices also found that the offending was repeated and for financial gain. The court gave Mr Cooper credit for his early guilty plea and co-operation with the Environment Agency throughout its investigation.

Checks with the Environment Agency's public register confirmed that he did not have a permit for the site, and although he did have 6 waste exemptions, none of these would have allowed him to carry out the types of activities seen by officers.

All waste activities are regulated by the Environment Agency. Whenever waste

is stored or treated, the operator is required to hold an environmental permit or register for an exemption, which is reserved for low-risk waste activities only.

During site visits, Environment Agency officers observed the burning of waste with discarded empty containers labelled as “dangerous to the environment”. One officer experienced a strong acrid smell which made him feel so unwell that he had to use a protective dust mask. The officers saw what appeared to be leachate puddles in and around the burning waste and plasterboard, which cannot be disposed of to landfill with other biodegradable waste as it can produce toxic hydrogen sulphide gas.

Steve Clare of the Environment Agency said:

It is very disappointing that Mr Cooper continued to allow the operation of an illegal site despite his previous convictions.

The net is closing in on people who think they can make easy money undercutting legitimate waste businesses by putting the local environment at risk. We are constantly gathering information on illegal waste sites, criminal activities and environmental crime in Wiltshire and across the south east.

We are taking a zero tolerance approach against offenders. In cases like this where individuals consistently operate illegally, we have absolutely no hesitation in prosecuting them, as we want to make sure that waste crime doesn't pay.

This extends to landowners, and their agents, who fail to take steps to prevent such offences once they are made aware of them.

For all media enquiries, please call 0800 141 2743.

[Press release: Assault conviction for illegal angler](#)

Mr Steve Beckett, 30, of Lorna Road, Mexborough threatened and assaulted the [Environment Agency](#) enforcement officer who asked to see his fishing licence. He also refused to give his address.

Enforcement officers are considered in law to be the same as police constables. Assaulting and obstructing one – in addition to his fishing violations – has left Mr Beckett with ‘recordable offences’ on the police database, as well as penalties totalling £410.

Mr Beckett was initially approached on 2 October 2016, as part of routine checks on [fishing licences](#). He had been spotted using three rods at Caistor Fisheries in Lincolnshire.

A search of the Environment Agency's database revealed Mr Beckett had no valid fishing licence, despite him insisting that he did. His refusal to give his address hampered further checks.

He became aggressive when challenged, physically pushing the enforcement officer away – and the police were called.

Strict penalties

Mr Beckett's case was heard at Lincoln Magistrates' Court on 5 June. He pleaded guilty to fishing without a valid licence, assaulting and obstructing a constable, using threatening behaviour, and failing to give his address to an authorised officer.

He was ordered to pay penalties totalling £410. At the time of the offence, the licence he required would have cost just £54. Recent changes mean that it would now cost £45, or £30 for concessions.

[Other types of licence are available](#), including one-day for £6, eight-day for £12, and a free one for those aged 12 to 16.

Joanne Kay, Environment Agency fisheries team leader, said:

Not only was Mr Beckett fishing illegally, he also assaulted a law enforcement officer who was doing his duty to protect the sport, legitimate anglers and the environment.

It makes no sense to have the embarrassment of a court visit, a criminal conviction and a bill for potentially thousands of pounds when an annual licence is such value for money and so easy to buy.

Protecting angling

The [money from licence sales](#) supports fish, fisheries and fishing, and protects the future of the sport. A small number of anglers refuse to buy one, cheating the sport and their fellow anglers.

For the minority who flout the rules, the most common offence is fishing without a valid licence, which could land them with a fine of up to £2,500 and a criminal record.

Last year in England, the Environment Agency checked more than 62,000 rod licences and prosecuted more than 1,900 anglers for rod and line offences, resulting in fines and costs in excess of £500,000.

Buy a fishing licence

Any angler aged 12 or over, fishing on a river, canal or still water needs a

licence. You can [buy a fishing licence online via gov.uk](#), by phoning 0344 800 5386, or from a local Post Office.

Report illegal fishing

To help crack down on unlicensed fishing, the Environment Agency urges people to report illegal activity by calling its incident hotline on 0800 80 70 60 or [Crimestoppers](#) on 0800 555 111.

Press release: Innovative flood defence engineering on show at Leeds Waterfront Festival

Visitors to this year's Leeds Waterfront Festival will get the chance to see the innovative technology being used to reduce the risk of flooding to the city.

The Leeds Flood Alleviation Scheme project team will be on hand at the event on Saturday 24 and Sunday 25 June, to explain what work has been done for phase 1 of the scheme in the city centre.

A model of a moveable weir will be demonstrated at the event, which is a replica of those installed in the River Aire at Crown Point next to Knightsway Bridge. The moveable weirs used for the project can be lowered in flood conditions to reduce river levels and the threat of flooding.

The Leeds Flood Alleviation Scheme team will be hosting a stand at Armouries Way, Leeds, LS10 1JP (next to Leeds Dock) between the hours of 10am to 4pm, Saturday 24 and Sunday 25 June.

The first phase of the Leeds Flood Alleviation Scheme, led by Leeds City Council in partnership with the Environment Agency, aims to reduce the risk of flooding from the River Aire and Hol Beck for residents and businesses in the city centre. The scheme also includes flood risk reduction at Woodlesford.

Leader of Leeds City Council Councillor Judith Blake said:

This year's Leeds Waterfront Festival promises to be a great event for people of all ages. With the first phase of the Leeds Flood Alleviation Scheme nearly finished, visitors to the festival will be able to get a unique insight into the technology involved through the virtual reality experience and the moveable weir to see how the system works to reduce the risk of flooding in the city

centre. It is a simple but very clever approach and we look forward to seeing lots of people taking the chance to find out more about it as they enjoy the festival.

Rosa Foster, Strategic Partnerships & Projects Manager at the Environment Agency said:

This event is a great opportunity to demonstrate the moveable weirs before our work in the city centre comes to completion. This is the first time that moveable weirs are being used in the UK for a flood risk reduction scheme and we're excited to show everyone at this year's festival what's been achieved.

Visitors to the event will also get the chance to try out the virtual reality area, and wear headsets to view 360 degree footage from the construction phase of the project and see what it's like to work inside a cofferdam in the river. A cofferdam is a dry working area created in the river by driving in sheet piling. The last cofferdam is now in place while the final moveable weir is constructed.

The event will also see the launch of the 'Cones on the Waterfront' children's book written by Chris Madeley, a waterfront safety book following a group of cones characters as they navigate potential waterway hazards. The story includes waterway construction areas, and was written based on the work of the flood risk reduction scheme being built in Leeds.

Copies of the book, sponsored by Leeds Scheme contractors BAM Nuttall, will be available in exchange for a charitable donation for the Leeds Children's Charity. The author will also be there to sign copies of the book. There will also be live performances throughout the weekend event to explain the story behind the Leeds Flood Alleviation Scheme.

The site works for Phase 1 of the Leeds Flood Alleviation scheme commenced in January 2015 and are scheduled to be completed this coming September. It is one of the largest river flood risk reduction schemes in the country which when complete will provide an increased level of protection from flooding from the River Aire and Hol Beck for residents and businesses in the city centre. The scheme also includes defences at Woodlesford.

The project team is currently working on options for Phase 2 of the scheme, which will adopt a catchment-wide approach meaning the entire River Aire catchment area will be considered to help reduce flood risk in Leeds. Consultation on potential options is due to be carried out from September.

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Press release: Company and director sentenced after pollution incidents

A company and its director have received fines and costs totalling £33,000 after significantly polluting a stream with blood and then failing to notify the Environment Agency.

The case against AWSM Recycling Ltd, of Lane Head Farm, Hutton Magna, west of Darlington and its sole director Adam Metcalfe, 37, of the same address, involves a number of breaches of environmental law over a significant period of time between July 2011 and October 2015.

The company stores waste and spreads it on agricultural land for the purpose of land improvement, which is controlled by environmental permits.

Both the company and Metcalfe appeared for sentencing at Teesside Crown Court on Monday 19 June. Metcalfe was fined £1,000 and his company £20,000, with the company also ordered to pay £12,000 in court costs.



Three separate pollution incidents

Representing the Environment Agency, barrister Craig Hassall outlined the offences to the court.

The charges relate to the illegal spreading of hazardous material on land, unauthorised burning of waste and, by breaching permit conditions, allowing waste to escape into streams in three separate incidents.

It also involves the spreading of a nitrogen-rich substance contrary to regulations designed to protect the environment from pollution.

The offences admitted by AWSM Recycling Ltd at a previous court hearing in November 2016 include three significant pollution incidents between January and May 2015.

The first, into Newbiggin Beck, was a leak from a store of blood waste which was kept for land spreading. It resulted in Bishopton Beck in particular being affected, with all invertebrates and fish for 1.2km downstream found dead.

A second incident in March affected Stillington Beck for 1km, significantly reducing oxygen levels in the water. It was caused by land spreading activities involving abattoir waste.

And in May 2015, it was reported that a concrete store which held waste beef blood at Lane Head Farm was leaking into a drain and flowing into a stream. A number of dead fish were found downstream into Smallways and Hutton Becks for a distance of 2km. The water samples showed high ammonia concentration levels.



Breached permit regulations

The company also admitted failing to notify the Environment Agency about a pollution incident in relation to the May offence.

In further offences, the company also took in large amounts of waste not covered by its environmental permit, including some containing antimony, a substance that should not be allowed to enter groundwater.

Metcalfe, 37, pleaded guilty at the same hearing last November to burning waste at Lane Head Quarry, and failing to notify the Environment Agency about a pollution incident in relation to the May offence impacting on Smallways and Hutton Becks.

Both the company and Metcalfe further appeared at Teesside Crown Court on Tuesday, 21 March this year, where they pleaded guilty to a further offence of failing to comply with Nitrate Prevention regulations because they spread nitrogen-rich digestate during the closed period, which resulted in ammonia

being found in a local stream.

Metcalfe, representing AWSM Recycling Ltd, said that since the offences about accepting waste not covered by a permit had come to light new procedures had been put in place, with producers now asked to complete an audit form.

He said he thought he had an exemption to cover the waste on his land at Lane Head Farm.

And he said the first pollution incident was due to vandalism of his storage tank, and he did not feel the incident was serious enough to report at first look. A mechanical failure of new equipment led to the March pollution incident, he added.

Neglect 'led to serious pollution incidents'.

Following the sentence, the Environment Agency's John Cowl, said:
"Environmental permits are there to protect our communities and the environment and both AWSM Recycling Ltd and Adam Metcalfe flouted these permits for a significant period of time.

"Their neglect led to serious pollution incidents which impacted on nearby streams and killed fish and invertebrates.

"This has been a lengthy and complicated investigation by our environment officers and we're pleased this has now been dealt with by the court.

"I hope this sends out the message to others that if they fail to abide by environmental laws then we will take action."