

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Oakham Environmental Waste & Recycling Ltd to bring the site into compliance under their environmental permit until it was revoked.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and determined that the waste had been deposited by Oakham Environmental Waste & Recycling Ltd, after their permit had been revoked.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.

[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.

Press release: Seven guilty of illegally fishing in Lincolnshire

Fishing without a licence has landed seven Lincolnshire anglers with penalties totalling more than £4,000, the Environment Agency reports.

Lee Bakes of Munster Court in Grimsby, Wayne Muress of Weelsby Street in Grimsby, Gareth Browne of Wellington Street in Grimsby, Lyndsey Russell of Parker Street in Cleethorpes, Ashley Ardon of Steve Newton Avenue in Horncastle, Dean Pocklington of Small End in Boston, and David Freeman of Dennis Estate in Boston, were all guilty under Section 27(1)(a) of the Salmon and Freshwater Fisheries Act 1975.

They were caught at Pigeon Pond in North Somercoates, Oasis Lakes in North Somercoates, River Bain in Horncastle, and Westwood Lakes in Wyberton.

They were spotted by Environment Agency bailiffs and PCSOs on regular patrols designed to catch unlicensed anglers in the act – and protect the sport for those who do follow the rules.

The seven offenders were tried on Monday 13 February at Boston Magistrates' Court. Fines totalled £2,900 but with costs and victim surcharges included, the five paid out penalties totalling £4,086.29. A rod licence currently costs from just £27.

Adam Basham, Environment Agency enforcement team leader, said:

Monday was a good day for the near-million anglers that fish legally every year, respecting each other and the sport. There really is no excuse – if you don't have a licence, pick one up from the Post Office or online before we pick you up.

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 currently just £27. We think these cheats will think twice before picking up a rod illegally again and if they don't, our officers are ready and waiting.

The money from rod licence sales supports fish, fisheries and fishing, and protects the future of the sport. A small number of anglers refuse to buy a licence, 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.

In 2015/16, Lincolnshire and Northamptonshire enforcement officers checked 3,710 licences and reported 73 for fishing illegally, bringing in fines and costs totalling £16,810.

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.

Any angler aged 12 or over, fishing on a river, canal or still water needs a licence. A full rod licence costs from just £27 (concessions available) and is available from the Post Office either online or in a local branch, or by phoning 0344 800 5386.

Money from rod licence sales is invested in England's fisheries and is used to fund a wide range of projects to improve facilities for anglers including protecting stocks from illegal fishing, pollution and disease; restoring fish stocks through re-stocking; eradicating invasive species; and fish habitat improvements. Rod licence money is also used to fund the Angling Trust to provide information about fishing and to encourage participation in the sport.

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.

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Notes to editors:

- Lee Bakes, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Bakes was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Wayne Muress, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Muress was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Gareth Browne, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Browne was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Lyndsey Russell, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Ms Russell was caught on 4 July at Oasis Lakes, North Somercotes.

- Ashley Ardon, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Ardon was caught on 6 July 2016 on the River Bain, Horncastle.
 - Dean Pocklington, who pleaded guilty, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Pocklington was caught on 6 July 2016 on the River Bain, Horncastle.
 - David Freeman, who pleaded guilty, was fined £260 and ordered to pay costs of £127.47, as well as a victim surcharge of £30, making the total penalty, £611.47. Mr Freeman was caught on 13 February 2017 at Westwood Lakes, Wyberton.
 - All were found fishing for freshwater fish or eels with an unlicensed instrument in a place where fishing is regulated, contrary to Section 27(1)(a) of the Salmon and Freshwater Fisheries Act 1975.
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Press release: Jailed business owner loses environmental licence

A jailed Tyne & Wear business owner has had the environmental permit for his scrapyards revoked.

The Environment Agency took the action against Peter Wallace, owner of a scrapyards in Barmoor Quarry in Ryton, following a series of breaches of permit conditions on the site after he was jailed in 2013 for drug offences.

Wallace had his permit taken away on 20 June 2016 but then appealed against the decision.

The Planning Inspectorate has now dismissed the appeal on the grounds that he was no longer in control of the facility. The decision means that Barmoor Quarry is no longer authorised to accept and treat waste metals.

Environmental permits ensure the protection of the environment and local communities from the risk of pollution caused through the carrying out of waste activities.

Under the regulations, the permit must be in the name of the person who has overall control of the facility. The permit for Barmoor Quarry scrapyards was in the name of its owner, Peter Wallace, yet Director Mr Birkett of Ryton

Breakers has managed the day to day running of the business since 2008.

In January 2014, a few months after the permit holder was imprisoned, a site visit by the Environment Agency identified eight permit breaches including oil spillages and storage of salvage vehicles containing brake fluid and oil were stored on unprotected land.

While many of the breaches were addressed by Mr Birkett, a further eight breaches were identified in September 2015. At the time, Mr Birkett was advised regarding the transfer of the environmental permit to his name, however, no application was made and it was clear that as the permit holder, Peter Wallace, no longer had control over the site.

Wallace has until 8 March 2017 to clear all waste from the site. If he does not comply, he may face the prospect of further legal action.

A spokesperson for the Environment Agency said:

The Environment Agency has revoked the environmental permit for Barmoor Quarry to protect the environment and ensure a level playing field for legitimate businesses. It is clear that the permit holder is no longer in a position to ensure compliance with permit conditions.

It is vital that waste companies comply with the law so that communities and the environment are not put at risk.

We work with operators to help them meet their obligations, but where significant or repeated breaches occur, we will take appropriate action to protect the environment.

On 11 January, the Planning Inspectorate dismissed Peter Wallace's appeal and found in favour of the Environment Agency, bringing into effect the permit revocation.

Anyone who experiences problems from this or any other waste site is urged to report the matter to the Environment Agency's incident hotline on 0800 807060 or CrimeStoppers anonymously on 0800 555 111.

[Press release: Landowners warned after waste dumped illegally](#)

Durham Police and the Environment Agency are warning landowners to be vigilant after a significant illegal waste site was discovered on private land in County Durham last week (10 February 2017).

More than 600 bales of general household waste were found dumped on the premises of a former foundry in Tow Law.

Officers from Durham Police and the Environment Agency attended the scene after they were alerted to the activities taking place at the site.

This is the latest in a recent spate of illegal waste dumping across the region. The Environment Agency currently has three ongoing investigations relating to eight sites where baled waste has been dumped over the last six months.

Environmental laws state that waste producers, brokers, road hauliers and landowners each have a responsibility to ensure waste is dealt with legally and correctly for the protection of the environment and communities. The Environment Agency will seek to take action against all parties responsible for this illegal activity.

Dave Edwardson, Enforcement Team Leader at the Environment Agency in the North East, said:

Landowners can be vulnerable. Waste dumped in vacant buildings or land may leave landowners with the responsibility and costs of disposing of the waste, which can be considerable.

We're determined to tackle waste crime such as this; waste that isn't managed properly can impact on communities, the environment and legitimate businesses and won't be tolerated.

I'd urge all landowners, farmers and property agents to be vigilant and report any concerns or anything suspicious to us straight away.

Waste producers and road hauliers must ensure they adhere to their Duty of Care when they are managing waste. They can contact the Environment Agency if they need any advice or information.

Anyone with information about those responsible for this or similar incidents is asked to contact the Environment Agency's 24-hour Incident Hotline on 0800 807060, or Crimestoppers anonymously on 0800 555 111.