

# Press release: Man given suspended jail term over illegal Wakefield waste site

A Dewsbury man has been handed a 26-week prison sentence, suspended for 12 months, for illegally dumping waste on disused land in Horbury, Wakefield.

Samuel Joseph Stringer Hunter, 25, of Boothroyd Lane, Dewsbury, was sentenced by Kirklees Magistrates' Court on 27 January following an Environment Agency investigation.

Hunter had denied two environmental offences but was found guilty after a trial.

Lorna Matchett, prosecuting for the Environment Agency, told the court that investigating officers discovered the illegal activities in July 2014.

Hunter had been storing waste on land near Bridge Road, near the River Calder behind the Horbury Bridge Industrial Estate, although no environmental permits were in place for the operation.

There were several piles of mixed waste containing treated and untreated wood waste and plastics, and skips belonging to the Hunter Group or Huddersfield Skip Services, both of which Hunter was involved with at the time.

The defendant claimed that these waste activities were allowed because they were covered by waste permitting exemptions. But the Environment Agency said the waste was being stored in breach of the exemptions: there was too much waste, it was of a type not compliant with the exemptions and it was stored for too long.

Hunter was told to clear the waste from the site, but inspections between October 2014 and January 2015 revealed that much of it remained. There were also signs that waste had been deposited into the ground, which was contaminated with plastic, glass, a trainer and mixed construction and demolition waste.

The court heard that through running the site illegally, Hunter avoided £4,120 in permitting fees and £5,148 by not installing the correct surfacing to prevent pollution to the ground. It is estimated that Hunter received between £6,400 and £18,720 for the waste he brought onto the site.

In sentencing, the chair of the bench said:

These offences were so serious that custody was the only option.

A spokesperson for the Environment Agency said after the hearing:

Environmental permitting regulations exist to protect the environment and local communities from the risk of harm. Hunter's activities on this site posed a pollution risk and a fire risk that could have affected the nearby railway line. Hunter also undercut legitimate businesses by avoiding mandatory permitting and infrastructure costs.

We hope this case demonstrates the importance of environmental compliance. Anyone who breaks the rules will be pursued. Anyone who believes waste is being dumped illegally is urged to report the matter to our incident hotline on 0800 807060 so we can investigate.

Prior to sentencing, Hunter told the court in mitigation that he had cleaned up the waste in the shortest possible time.

In addition to the suspended jail term, he was ordered to undertake a rehabilitation activity of 15 days under supervision, and to carry out 300 hours of unpaid work within the next 12 months. Hunter must also pay legal costs of £4,640 and a victim surcharge of £150.

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## **Press release: Over 300 volunteer bailiffs help fight against illegal fishing**

From Cornwall to Cumbria, an army of dedicated anglers is helping the fight against illegal fishing and fish theft. They are the recruits of the Angling Trust and Environment Agency's Voluntary Bailiff Service (VBS) who act as the "eyes and ears" on riverbanks and lakes, reporting suspicious incidents and providing crucial information to the Environment Agency and the police.

VBS began as a pilot project in the South East in 2012 following a formal partnership between the Environment Agency and the Angling Trust. It was rolled out across the country in spring 2015 and, following inductions last autumn, proudly boasts more than 300 volunteers.

Bailiffs are unpaid and rigorously vetted before they are selected. Successful candidates receive an intensive training course on what is expected of them from enforcement professionals, including the Angling Trust, the Environment Agency and the Head of the UK National Wildlife Crime Unit.

Volunteers are trained on fisheries enforcement law, signs of illegal fishing

and how to record information in a way that could be used as evidence. First-hand learning includes attending joint patrols with the police and Environment Agency.

Volunteers recently gained valuable experience when they joined police and Environment Agency Fisheries Enforcement Officers on a joint patrol of the River Severn and at a number of stillwaters. Even at a relatively quiet period of the year they found reports of illegal fishing.

It's not just rod licence offenders that are being reported either. On other patrols people have been cautioned by the police for going equipped for poaching, motoring offences and possessing drugs and weapons.

Dilip Sarkar MBE, the Angling Trust's National Enforcement Manager, said:

All of our volunteers are valued and we now have the sound foundation to move forward, increase engagement and provide more practical training. We have come a very long way, since the formal partnership and although we still have far to go, this activity is already making a difference.

Graeme Storey, National Fisheries Manager at the Environment Agency, said:

All money raised through rod licence sales is used to protect and improve fish stocks and fisheries benefiting anglers. The Voluntary Bailiff Service is our latest move to tackle illegal fishing and to protect that revenue. The vast majority of anglers who fish legally deserve to see those who flout the law brought to account but to that criminal minority our message is clear: we won't hesitate to take action.

The Angling Trust and Environment Agency are appealing for more anglers to join the VBS. Induction and training days are being run this spring and anyone interested in joining the VBS should email [karen.sarkar@anglingtrust.net](mailto:karen.sarkar@anglingtrust.net)

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## **Press release: Court gives waste offender time to clean up site**

Colin Barnes had previously failed to clear the site ahead of the court hearing on Wednesday 25 January after his environmental permit was revoked.

Barnes, who traded as CT Barnes Autos, was taken to court by the Environment

Agency after failed attempts to get him to comply with the law.

King's Lynn magistrates deferred sentencing him and have given him six months to clear the site. He is due back in the court on 26 July.

The permit held by Barnes, aged 59, of Podmore Lane, Scarning was revoked by the Environment Agency after he continually failed to run the site in line with the conditions in his permit. Following the revocation Barnes was required to remove the large amounts of waste remaining on site.

Mrs Megan Selves, prosecuting, said the deadline for removing all the waste was extended three times to dates suggested by the defendant, as waste officers tried to support him to do the right thing. But despite removing some of the waste, most of it remained two years later.

She told the court that Barnes had an environment permit to store waste vehicles and parts but it was revoked on 15 September 2014. All the waste should have been removed by 3 November 2014.

Barnes failed to respond to advice given by Environment Agency officers and despite agreeing to deadlines for when he could remove the waste, he has failed to comply and the waste remains on site,

He has repeatedly flouted the law and undermined the legitimate waste management industry.

Magistrates heard that Barnes had operated the site since 1977 as a vehicle repair and service business until 2006 when he obtained a permit and began depolluting and dismantling vehicles which had come to the end of their lives.

Since the issuing of the permit there has been a history of non-compliance so the permit was revoked.

Barnes told investigating officers that since the revocation he had been removing some of the waste but had to rely on others as he did not have a waste carriers licence at the time and they sometimes took a long time to collect it as the value of the waste had decreased.

After the hearing Environment Agency officer Rob Brodie said:

Unregulated waste activities can impact both visual and amenity and can cause harm to the environment and human health.

These offences were committed over 21 months and despite advice and guidance from us and agreements to extend deadlines for the removal of waste, very little of it was removed.

Mrs Selves said Barnes had a history of non-compliance with warnings from the Environment Agency and has previous convictions for similar environmental offences.

Barnes pleaded guilty to:

Between 4 November 2014 and 2 August 2016 on land at Willow Lodge, Podmore Lane, Scarning, Dereham, Norfolk NR19 2NS you did operate a regulated facility, namely a waste operation for the storage of waste motor vehicles and vehicle parts, without being authorised by an environmental permit granted under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010.

Contrary to Regulation 12(1)(a) and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2010

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## **Press release: MJ Curle Ltd ordered to pay £32,920 for environmental waste offences**

On Thursday 26 January 2017, Stuart Curle, director of MJ Curle Ltd, Sunnymead Farm, Shifnal, Telford, pleaded guilty at Telford Magistrates' Court to operating a regulated facility that was not authorised by an environmental permit, both on behalf of the company, MJ Curle Ltd and separately in his capacity as the director of the company.

The 45-year-old was fined £1,200 and ordered to pay in excess of £25,000 in compensation and costs to the Environment Agency, along with a £120 victim surcharge. Additionally, the company was fined £6,600. The court also ordered that the 1,700 tonnes of waste that remains on-site is to be removed within the next 6 months, by 25 July 2017.

Environment Agency officers visited the site on 13 January 2015 to carry out an inspection. They found a large number of skips containing a variety of waste, including cardboard and green waste. Other parts of the site were used for storing and sorting a variety of waste, some of which originated from demolished conservatories. There was also evidence of waste being burned on the site.

The activities undertaken on the site require an environmental permit. However, the defendant never applied for one. As a result the defendant avoided application and subsistence fees in excess of £14,000. Around 1,700 tonnes of waste were found on the land. To dispose of this legally it will cost MJ Curle Ltd approximately £130,000.

Under caution, Stuart Curle admitted to a range of waste being brought to the

site as a result of a business relationship with a local company. He also accepted that MJ Curle Ltd had been collecting skips full of waste and once they were transported back to the site, the waste was sorted and stored. He accepted that the activity required an environmental permit, something which the Environment Agency had warned him about in 2008.

During the hearing at Telford Magistrates Court, the Bench found that the previous warnings given by the Environment Agency to the defendant regarding the illegal activities on the site, in 2008, were a seriously aggravating feature of the current offending. However in mitigation the defence raised the defendant's serious ill health and the financial difficulties that have blighted the family as a result. The defendant also asked the court to take into account the defendant's co-operation with the Environment Agency and his admissions in interview.

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

When we entered the site in 2015, there was clear evidence of a deliberate and unlawful waste processing and storage operation. Stuart Curle was previously spoken to by Environment Agency officers about the need to obtain an environmental permit to undertake this activity. Unfortunately he failed to heed that guidance. We are pleased with the outcome of this case and we will actively bring prosecutions where deliberate unlawful processing and storage is identified.

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## **[Press release: Clay company pays heavy price for toxic discharge](#)**

The case was brought by the Environment Agency.

The offence occurred in July 2013 after staff at Rocks Dryers, a site operated by Imerys near Bugle, St Austell, flushed a hazardous substance called 'Jayfloc 85' out of a redundant storage tank and into drains where it entered a series of settlement lagoons before discharging into Rocks Stream, a tributary of the Par River.

Imerys failed to carry out a risk assessment despite Jayfloc85 being classified by its manufacturer as 'hazardous' and 'harmful to aquatic life'. Guidance on its use clearly states this chemical should not be allowed to enter 'drains/surface waters/ground waters'.

The company has an Environment Agency permit to discharge into the Rocks

Stream from a single discharge point. Liquids entering the settlement lagoons undergo a basic treatment. China clay solids held in suspension settle out of the liquid and accumulate in the bottom of the lagoons. Sodium carbonate is then used to adjust the pH before the effluent is discharged. The system is not designed to treat toxic chemical pollutants such as Jayfloc85.

On the day of the offence, the chemical, which is used in the processing of china clay, was flushed out of the storage tank and into the site's effluent system and settlement lagoons via drains.

Imerys did not believe the chemical would harm the environment as it claimed the volume released was relatively small (estimated at 474 litres) and once in the settlement lagoons, it would have been heavily diluted.

The company failed to check the manufacturer's data sheet about the harm Jayfloc85 can cause if it escapes into streams, lakes and rivers. The chemical should have been removed from the site and either used elsewhere or taken to a permitted site for safe disposal.

The Par River, downstream of the discharge point, flows into Par Beach, a designated bathing water popular with holidaymakers.

Chris Barnes, for the Environment Agency, said:

This case demonstrates how important it is for site operators to have effective training and management systems in place to prevent the discharge of toxic chemicals into the environment. Clearly, this wasn't the case at Rocks Dryers where Imerys failed to properly assess the risks of emptying a hazardous substance into the site's drainage system. Had it done so, the company would have soon realised the disposal of hazardous chemical in this way is illegal.

At an earlier hearing Imerys Minerals Limited pleaded guilty to, on around 25 July 2013, discharging poisonous, noxious or polluting matter into inland freshwaters including the Rocks Stream, Rosevean Stream and Par River in contravention of Regulation 12(1)(b) of the Environmental Permitting Regulations 2010.

Appearing before Truro Crown Court on 20 January 2017, the company was fined £75,000 and ordered to pay £25,000 costs.