

# Press release: Custodial sentence for rogue waste operator

David Shrigley was described as a 'willful and persistent' offender who flouted the law for financial gain over a lengthy period of time.

Shrigley and his former wife, Donna, were directors of DRS Demolition National Ltd and operated a waste transfer station at Domellick Manor, St Dennis, Cornwall. Magistrates accepted that David Shrigley, 68, was largely to blame for the offences and that his ex-wife, Donna Shrigley, 47, had a far lower culpability.

In 2015 the company went into liquidation and its operating licence was disclaimed. Prior to liquidation, the Environment Agency had become increasingly concerned at the growing quantity of waste being stored at the site.

The operator continued to accept waste which generated income, but failed to process and transfer it off site. The build-up of material, that included mixed landfill waste, posed a serious fire risk and could have caused environmental harm. The company saved money by failing to transfer processed waste off site.

Despite repeated requests from the Environment Agency, the company failed to remove excess waste and improve its management of the site before going into liquidation. This culminated in the directors being served with an Enforcement Notice.

In April 2016 David and Donna Shrigley were jointly convicted, at Bodmin magistrates court, with failing to comply with an Enforcement Notice, breaching permit conditions and operating without a permit. Sentencing included the issuing of a court order for all the controlled waste at Domellick Manor to be cleared and taken to a licensed site for safe disposal within 18 months.

On 12 October 2017, an Environment Agency officer visited the site and saw the court order hadn't been complied with. He found evidence of fresh waste deposits and signs that tracked vehicles had been operating at the site.

Richard Cloke for the Environment Agency said:

It is essential waste is managed properly. Failure to do so poses a real threat to people living nearby and to the environment, from pollution, odours and fire risk, and can result in expensive clean-up costs. It also undermines the business and reputation of legitimate operators who are doing the right thing. This case demonstrates that courts are increasingly taking illegal waste activity very seriously. We hope this sentence acts as a deterrent to those that might be tempted to flout the law.

David Shrigley, 68, was sentenced to 40 days in prison and ordered to pay £1,039 costs for failing to comply with a court order made under Regulation 44 of the Environmental Permitting (England and Wales) Regulations 2010.

Magistrates accepted Donna Shrigley had been unable to clear the site without the co-operation of her ex-husband following their divorce. Crucially, he had failed to transfer ownership of the site away from her as promised; placing her at risk of prosecution. As a result, the court imposed a minimal fine of £1.00 with £259 costs.

The court order is still in place and legal responsibility for the removal of waste from Domellick Manor remains with David Shrigley.

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## **[Press release: Nottingham man fined for carrying waste without a licence](#)**

A 43-year old Nottingham man has been sentenced to pay a fine of £880.00 plus £1,989 costs and a £88 victim surcharge for an offence committed under s1(1) of the Control of Pollution (Amendment) Act 1989.

Darren Pike from Betts Avenue, Hucknall, NG15 6UP was sentenced at Nottingham Magistrates Court on Wednesday 20 December in relation to a charge of carrying waste without the requisite upper tier Waste Carriers' Licence. Mr Pike failed to attend Court and the case was proven in his absence.

The charges were brought by the Environment Agency. The court heard how during a multi-agency operation on 11 May 2017, in conjunction with Nottinghamshire Police and Nottingham City Council, a Ford Transit Tipper

truck driven by Mr Pike was found to be fully laden with waste, including plastic, furniture, toys, a fridge and a soiled mattress.

A number of waste transfer notes and weighbridge tickets were also found in the vehicle, which suggested that Mr Pike had previously taken waste (scrap metal) to two separate sites, one in Nottingham and the other in Mansfield. A public register search confirmed Mr Pike did not hold a Waste Carriers' licence.

Sinead Chamberlain, Environment Officer at the Environment Agency said:

On carrying out an interview under caution with Mr Pike in May this year, he admitted he was not a registered waste carrier. A letter was given to him containing advice and guidance in relation to registering as a waste carrier however, a subsequent check in August showed he had failed to register.

By not having the necessary licence, which costs just £154 and is easy to apply for, Mr Pike has incurred a total penalty of £2957.

The Environment Agency is working hard to make sure all businesses carrying waste have the correct authorisations to allow them to transport waste – a waste carrier's registration from the Environment Agency.

This case demonstrates we will take action against those who do not operate within the confines of relevant regulations and we hope it will serve as an example for other waste carriers to make sure they have the relevant licence in place.

Mr Pike has 28 days to pay. When sentencing, the Court took into account the aggravating feature of the offence being committed for financial gain, as well the defendant's previous "unblemished" record for environmental offences.

#### Charge

- On 11 May 2017, Darren Pike, being a person who is not a registered carrier of controlled waste, did, in the course of his business or otherwise with a view to profit, transport controlled waste, namely wood, plastics, a mattress and a refrigerator, from Betts Avenue, Hucknall, NG15 6UP, being a place in Great Britain contrary to section 1(1) of the Control of Pollution (Amendment) Act 1989
- The Control of Pollution (Amendment) Act 1989 makes it a criminal offence for a person to transport controlled waste to or from any place in the United Kingdom, with a view for profit, if they do not possess the requisite Waste Carriers' Licence.

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## **Notice: NG14 5HL, Severn Trent Water 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: Severn Trent Water Limited
- Installation name: Stoke Bardolph Sewage Treatment Works
- Permit number: EPR/ZP3898EL/V003