

Haulier ordered to pay nearly £10,000 for illegal waste activity

A haulage company and its director have been ordered to pay £9,923 for moving waste in and out of an illegal waste site in Fineshade, Northamptonshire.

BRC Haulage Ltd, of Cygnet Park, Hampton, Peterborough, and Robert Canavan, Director of BRC Haulage Ltd, pleaded guilty to a number of charges at Northampton Magistrates Court on 9 June 2021. These were 3 charges of illegally depositing waste, and 5 charges of breaching their waste duty of care by failing to prepare waste transfer notes to document the nature of the waste leaving the site.

The illegal waste site they used at Monkton Sidings in Fineshade near Corby had no environmental permit and is operated by serial waste offender, Stephen Lack, who was jailed for 18 months in January 2021. The lack of environmental permit meant that waste was stored on the bare ground, placing land and water resources, including the neighbouring Fineshade Woods, at risk.

Environment Agency Lawyer Sarah Dunne told the court that waste transfer notes are necessary to ensure that waste is handled safely and correctly. BRC Haulage Ltd had many years of experience and knew that such documentation was required but didn't take steps to record waste movements in and out of the Monkton Sidings site.

She also explained how they had prevented the Environment Agency from effectively regulating the site and, by depositing waste at an unpermitted site, had saved costs and fees.

Defending BRC Haulage Ltd and Robert Canavan, barrister Mauro Maselli said that the defendants apologised for their offending. He told the court that they had co-operated with the Environment Agency and had admitted the offences at an early stage.

Sentencing the defendants, the magistrates observed that this had been reckless offending. Fining the Company £5,000, BRC Haulage Ltd were told that they had been in business long enough to understand that they were working in a highly regulated industry and that Stephen Lack was not a lawful operator. The Company was ordered to pay the Environment Agency's costs of £4,128.

Robert Canavan, of Park Road, Peterborough in his capacity as a Director, was fined £768 and was ordered to pay a victim surcharge of £77.

Yvonne Daly, Manager at the Environment Agency, said:

Illegal waste sites like Monkton Sidings are a blight on our environment, countryside and to communities and legitimate business.

We would advise members of the public to make their own due diligence checks when choosing a waste carrier before there is any commercial contractual agreement.

Check your waste collector's waste carriers registration [online](#) or call 03708 506 506.

Earlier this year the Environment Agency and partners launched the Joint Unit for Waste Crime, aiming to stop serious and organised crime in the UK Waste Industry. Find out more about the [initiative](#).

The charges: ILLEGAL DEPOSITS – BRC HAULAGE LTD On 29 August 2019 you deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit contrary to section 33(1)(a) and (6) of the Environmental Protection Act 1990 On 31 August 2019 you deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit contrary to section 33(1)(a) and (6) of the Environmental Protection Act 1990 On 16 September 2019 you deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit contrary to section 33(1)(a) and (6) of the Environmental Protection Act 1990

ILLEGAL DEPOSITS – ROBERT CANAVAN On 29 August 2019 BRC Haulage Ltd deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit and that offence was due to your consent, connivance or neglect as a Director of BRC Haulage Ltd contrary to section 33(1)(a) and (6) and section 157(1) Environmental Protection Act 1990

On 31 August 2019 BRC Haulage Ltd deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit and that offence was due to your consent, connivance or neglect as a Director of BRC Haulage Ltd contrary to section 33(1)(a) and (6) and section 157(1) Environmental Protection Act 1990

On 16 September 2019 BRC Haulage Ltd deposited controlled waste namely a quantity of mixed waste in or on land at Monkton Sidings when there was no environmental permit in force authorising such a deposit and that offence was due to your consent, connivance or neglect as a Director of BRC Haulage Ltd contrary to section 33(1)(a) and (6) and section 157(1) Environmental Protection Act 1990

DUTY OF CARE OFFENCES – BRC HAULAGE LTD On 29 August 2019 you failed to comply with the duty of care imposed by section 34(1)(c)(ii) of the Environmental Protection Act 1990 in that, being a person that carries controlled waste, namely, a quantity of waste soil and hard core, did fail to take such measures as were reasonable in the circumstances to secure that, on transfer of the waste, that there was such a written description of the waste

as to enable other persons to avoid any contravention of section 33 contrary to section 34(1)(c)(ii) and (6) Environmental Protection Act 1990.

On 30 August 2019 you failed to comply with the duty of care imposed by section 34(1)(c)(ii) of the Environmental Protection Act 1990 in that, being a person that carries controlled waste, namely, a quantity of waste soil and hard core, did fail to take such measures as were reasonable in the circumstances to secure that, on transfer of the waste, that there was such a written description of the waste as to enable other persons to avoid any contravention of section 33 contrary to section 34(1)(c)(ii) and (6) Environmental Protection Act 1990.

On 31 August 2019 you failed to comply with the duty of care imposed by section 34(1)(c)(ii) of the Environmental Protection Act 1990 in that, being a person that carries controlled waste, namely, a quantity of waste soil and hard core, did fail to take such measures as were reasonable in the circumstances to secure that, on transfer of the waste, that there was such a written description of the waste as to enable other persons to avoid any contravention of section 33 contrary to section 34(1)(c)(ii) and (6) Environmental Protection Act 1990.

On 2 September 2019 you failed to comply with the duty of care imposed by section 34(1)(c)(ii) of the Environmental Protection Act 1990 in that, being a person that carries controlled waste, namely, a quantity of waste soil and hard core, did fail to take such measures as were reasonable in the circumstances to secure that, on transfer of the waste, that there was such a written description of the waste as to enable other persons to avoid any contravention of section 33 contrary to section 34(1)(c)(ii) and (6) Environmental Protection Act 1990.

DUTY OF CARE OFFENCES – ROBERT CANAVAN On or about 29 August 2019 BRC Haulage Ltd failed to comply with the duty of care imposed by section 34(1)(c)(ii) of the Environmental Protection Act 1990 in that, being a person that carries controlled waste, namely, a quantity of waste soil and hard core, did fail to take such measures as were reasonable in the circumstances to secure that, on transfer of the waste, that there was such a written description of the waste as to enable other persons to avoid any contravention of section 33 of the Environmental Protection Act 1990 and such failure was due to your consent, connivance or attributable to your neglect as a director of BRC Haulage Ltd contrary to section 34(1)(c)(ii) and (6) and section 157(1) Environmental Protection Act 1990

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