

# Man and haulage firm fined for illegally dumping waste soil

A man has been fined for illegally transporting waste soil – and the transport company from which he hired trucks to move it hit with hefty fine.

Sam Dowell, 30, was fined £1,840 at Cambridge Magistrates' Court last year for causing the transportation and dumping of waste soil without the appropriate permits. Dowell, who pleaded guilty at an earlier hearing, also had to pay £2,000 compensation. He also had to pay a third of the cost of removing the illegally dumped soil, plus costs of £1,900.

Patrick Coleman, 75, of Galsworthy Road, Barnet, North London, who is the sole director of haulage company PJC Sweepers Ltd, which rented the trucks to Dowell. Coleman was acquitted at Cambridgeshire Crown Court on 1 June 2022 for transporting waste without a permit. However, his company was fined £6,000 plus costs of £10,000, a further £4,000 compensation for the remediation of the site. He also had to pay a £170 victim surcharge at the same court on 4 July, 2022.

Dowell had been given a contract to help prepare a piece of land in readiness for the groundworks of a housing development in Bassingbourn, Cambridgeshire. His employees carried out the work while he identified a site next to the Royston Sewage Treatment Works in Melbourn, Cambridgeshire, for dumping the waste soil. Dowell leased lorries from PJC Sweepers Ltd to move it.

However, this site is owned by AWG Land Holdings Ltd, part of the Anglian Water Group. Anglian Water Group includes Anglian Water Services Ltd, and did not have an environmental permit to accept waste.

Coleman's haulage company should have carried out duty of care checks to ensure the waste soil was being moved to an appropriately licensed waste site.

His Honour Judge Cooper observed:

Despite the drivers being challenged by a representative of the landowner to inform that the deposits were not authorised, they carried on regardless until the police were called. By then around 30 lorry loads of deposits had already been made.

Describing the actions of PJC Sweepers Ltd as "completely reckless", he added:

Anyone who puts profits before the protection of the environment needs to understand that they face a serious sentence.

Duty of care cannot be delegated to another company. There is a duty to check how the next waste holder in the chain will handle

the waste and where the wastes journey will end.

The failure by the company's employees to make these checks – which would have revealed that the receiving site was not a permitted site. This meant that the deposits of waste soil made on or before 14 January 2019 were illegal.

An environmental permit is important to prevent harm to the environment, nuisance to neighbours and protect the landowners from illegal deposits. It also ensure that the relevant taxes are paid. The defendants were prosecuted due to the undermining of legitimate waste management industry and the suffering to local communities caused by illegal deposits of this nature.

Simon Hawkins, Manager at the Environment Agency, said:

All waste companies must complete duty of care checks. By not following their duty of care, companies can potentially harm our natural resources and blight communities. It also undermines, legitimate businesses that do follow the rules, which enables the offender to gain an unfair commercial advantage over them.

Our role is to protect the environment for people and wildlife, so we won't hesitate to take action against those who put it at risk. And to businesses flouting the rules our message is clear: you won't get away with it.

Anyone who suspects illegal waste activity is reminded to report it to our 24-hour hotline by calling 0800 80 70 60, or anonymously contacting Crimestoppers on 0800 555 111.

You can check your waste collectors waste carriers registration at <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers> or call 03708 506 506.

Last 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. You can find out more about the initiative on our [website](#).

Summary of regulations under which the 2 parties were prosecuted:

The offences are all committed contrary to Section 33(1)(a) Environmental Protection Act 1990 and is an either-way offence. On summary conviction the maximum penalty is an unlimited fine and/or a term of imprisonment not exceeding 6 months. On conviction on indictment the maximum penalty is an unlimited fine and/or a term of imprisonment not exceeding 5 years.

From 6 April 2010, anyone operating a regulated facility to recover or dispose of waste can only do so in accordance with an environmental permit granted under the Environmental Permitting Regulations. An environmental permit is granted subject to a number of conditions to protect the

environment and local communities from potentially harmful substances. This includes such things as smell or litter nuisance, and requiring appropriate management systems and infrastructure to be in place prior to commencing any waste activities.

Certain relatively low risk activities are exempted from the need to have an environmental permit. There is no record of an environmental permit or registered exempt waste activities at the site.

Sam Dowell pleaded guilty at Cambridge Magistrates' Court on 29 March 2021, where he was sentenced on the same date.

Patrick Coleman was acquitted after a hearing at Cambridgeshire Crown Court on 1 June 2022.

For East Anglia press office please contact (24 hours): 0800 917 9250

All Environment Agency news releases, both area and national, can be found under Announcements at [www.gov.uk/government/organisations/environment-agency](http://www.gov.uk/government/organisations/environment-agency)

Follow us on Twitter @EnvAgencyAnglia

ends