

Norfolk man jailed for illegal waste operation

A Dereham garage owner who repeatedly ignored Environment Agency warnings about storing end of life vehicles (ELVs) and parts has been jailed.

Colin Barnes of Podmore Lane, Scarning, Norfolk, was handed a 6 month jail sentence at Norwich Magistrates' Court on 15 July 2022. And he was ordered to pay £5,000 costs.

The 65 year old was also handed a Criminal Behaviour Order (CBO), which sets out a series of legally-binding conditions he must adhere to or face further punishment.

In November 2021 he pleaded guilty to storing ELVs and parts without a permit at his premises. Barnes was given a suspended sentence of 16 weeks for those offences, on the condition he remained offence free. The court also made a Remediation Order that he must clear the waste from his site by mid-January 2022 or face immediate imprisonment.

Following expiry of the Remediation Order in January 2022, Environment Agency officers inspected the site and found it had not been cleared. They found more ELVs and various car parts including gearboxes, suspension units and tyres stored at the site.

Environment Agency prosecutor Sarah Dunne said:

Barnes had been given 'chance after chance' to clear the waste and to work with the Environment Agency.

The site remained a risk to the environment and undermined competitors who operated within the law.

The court heard how officers had visited the site 18 times between November 2019 and July 2022 and had made every effort to work with Mr Barnes.

Ms Dunne then applied to the court for a CBO.

District Judge Wilson granted the order and set out the following prohibitions and requirements under the Order for Barnes to obey. Under the CBO, he must:

- not hold a Waste Carrier Licence
- surrender his waste carrier licence to the Environment Agency to the Environment Agency's office at within 7 working days of the date of this order
- not apply for a further Waste Carrier Licence
- not register or cause to be registered, with the Environment Agency, any

waste exemption and

- not be involved with the operation of any business, in his own name or otherwise, under any waste exemption that has been registered with the Environment Agency

This order remains in force for a period of 5 years.

East Anglia Area Enforcement Team Leader Lesley Robertson said:

Despite the court imposing a suspended custodial sentence and Order in November 2021 to remove waste from his site, Mr Barnes continued to store and treat waste illegally without an environmental permit.

Barnes operated at a commercial advantage, undermining legitimate business with little or no regard for the environment or residents. By imposing this prison sentence, CBO and £5,000 costs, the District Judge demonstrated how seriously they viewed Mr Barnes' activities and behaviour.

Between 31 January 2021 and 5 February 2022 at CT Barnes Autos, Podmore Lane, Scarning, Dereham, Colin Barnes operated a regulated facility. Namely a waste operation for the deposit, treatment and storage of waste, except under and to the extent authorised by an environmental permit contrary to Regulations 12 and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2016.