

Press release: Community order for operating an illegal waste site in Walsall

In the case brought by the Environment Agency, Stephen Wayne Morgan (aged 52) had pleaded guilty to one offence of operating a waste storage and treatment facility without an environmental permit, at an earlier hearing. He was sentenced to a 2 year community order with a requirement to complete 250 hours of unpaid work, and ordered to pay £17,000 in prosecution costs, along with a £60 victim surcharge. Morgan must also pay £54,415.33 under a confiscation order depriving him of the criminal benefit from the illegal operation.

The case relates to an offence between 6 April 2015 and 29 August 2015 committed on Middlemore Lane, Aldridge, Walsall, where Morgan had operated under the trading name Aldridge Aggregates & Recycling. Over the period of offending, Morgan allowed the deposit of waste on site, that was later shredded and crushed, before being sold as processed products. The site contained thousands of tonnes of waste including construction and demolition waste, wood waste, and waste soils.

The activities at the site posed a nuisance local residents and a local business. On one occasion (15 June 2015), waste on the site was deliberately burned, subjecting employees of a nearby business to excessive amounts of smoke and forcing them to shut the doors and windows of their business premises.

Complaints were made by local residents, who were subjected to problems of excessive dust blowing towards their homes and settling, and excessive noise from machinery crushing and shredding waste on the site. One resident described the noise as "incredibly loud" and said it could be heard every day from Monday to Friday over a period of months.

Mr Morgan was provided with advice and guidance from the Environment Agency but failed to obtain planning permission or an environmental permit to legitimise the operation. He continued to receive and process waste on the site despite being advised that the activities were illegal, that the activities were having an effect on the local community, and that enforcement action could follow. Waste operations continued even after the Environment Agency served a legal notice on Mr Morgan on 1 July 2015 requiring removal of the waste.

Morgan was ultimately evicted from the premises by the site landlords on 29 August 2015. Thousands of tonnes of waste had to be removed from the site in the ensuing clean-up.

In mitigation, Mr Morgan's barrister stated that he had no relevant previous convictions and had pleaded guilty at the earliest opportunity. He stated

that Mr Morgan had expressed remorse for his offending and had made some attempt to reduce the quantities of waste from the site. He further stated that Mr Morgan was suffering with a number of health conditions.

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

The operation of illegal waste sites undermine legitimate businesses along with the investment and economic growth that go with it.

This case demonstrates that we will act upon information given to us regarding suspected illegal or nuisance waste activity and will not hesitate to prosecute when circumstances warrant it.

If you see pollution or a waste crime incident, report it on our incident hotline on 0800 807060.