

# Press release: Company and director sentenced after pollution incidents

A company and its director have received fines and costs totalling £33,000 after significantly polluting a stream with blood and then failing to notify the Environment Agency.

The case against AWSM Recycling Ltd, of Lane Head Farm, Hutton Magna, west of Darlington and its sole director Adam Metcalfe, 37, of the same address, involves a number of breaches of environmental law over a significant period of time between July 2011 and October 2015.

The company stores waste and spreads it on agricultural land for the purpose of land improvement, which is controlled by environmental permits.

Both the company and Metcalfe appeared for sentencing at Teesside Crown Court on Monday 19 June. Metcalfe was fined £1,000 and his company £20,000, with the company also ordered to pay £12,000 in court costs.



## **Three separate pollution incidents**

Representing the Environment Agency, barrister Craig Hassall outlined the offences to the court.

The charges relate to the illegal spreading of hazardous material on land,



unauthorised burning of waste and, by breaching permit conditions, allowing waste to escape into streams in three separate incidents.

It also involves the spreading of a nitrogen-rich substance contrary to regulations designed to protect the environment from pollution.

The offences admitted by AWSM Recycling Ltd at a previous court hearing in November 2016 include three significant pollution incidents between January and May 2015.

The first, into Newbiggin Beck, was a leak from a store of blood waste which was kept for land spreading. It resulted in Bishopton Beck in particular being affected, with all invertebrates and fish for 1.2km downstream found dead.

A second incident in March affected Stillington Beck for 1km, significantly reducing oxygen levels in the water. It was caused by land spreading activities involving abattoir waste.

And in May 2015, it was reported that a concrete store which held waste beef blood at Lane Head Farm was leaking into a drain and flowing into a stream. A number of dead fish were found downstream into Smallways and Hutton Becks for a distance of 2km. The water samples showed high ammonia concentration levels.



### **Breached permit regulations**

The company also admitted failing to notify the Environment Agency about a

pollution incident in relation to the May offence.

In further offences, the company also took in large amounts of waste not covered by its environmental permit, including some containing antimony, a substance that should not be allowed to enter groundwater.

Metcalfe, 37, pleaded guilty at the same hearing last November to burning waste at Lane Head Quarry, and failing to notify the Environment Agency about a pollution incident in relation to the May offence impacting on Smallways and Hutton Becks.

Both the company and Metcalfe further appeared at Teesside Crown Court on Tuesday, 21 March this year, where they pleaded guilty to a further offence of failing to comply with Nitrate Prevention regulations because they spread nitrogen-rich digestate during the closed period, which resulted in ammonia being found in a local stream.

Metcalfe, representing AWSM Recycling Ltd, said that since the offences about accepting waste not covered by a permit had come to light new procedures had been put in place, with producers now asked to complete an audit form.

He said he thought he had an exemption to cover the waste on his land at Lane Head Farm.

And he said the first pollution incident was due to vandalism of his storage tank, and he did not feel the incident was serious enough to report at first look. A mechanical failure of new equipment led to the March pollution incident, he added.

### **Neglect 'led to serious pollution incidents'.**

Following the sentence, the Environment Agency's John Crowl, said: "Environmental permits are there to protect our communities and the environment and both AWSM Recycling Ltd and Adam Metcalfe flouted these permits for a significant period of time.

"Their neglect led to serious pollution incidents which impacted on nearby streams and killed fish and invertebrates.

"This has been a lengthy and complicated investigation by our environment officers and we're pleased this has now been dealt with by the court.

"I hope this sends out the message to others that if they fail to abide by environmental laws then we will take action."