

Press release: Cornwall waste disposer prosecuted for illegally storing asbestos

The owner of a Cornish waste disposal business has been ordered to pay almost £80,000 in fines and costs for illegally storing and treating waste including asbestos at a site near Penzance.

The site manager was also prosecuted and ordered to pay a total of £6,000 in fines and costs. The case was brought by the Environment Agency.

Leslie Allen ran a waste operation from a site in Perranuthnoe where waste from various commercial and domestic sources was illegally processed. The site was also used to store hazardous waste including asbestos. The storage and bulking of waste requires an Environment Agency permit.

Truro Crown Court heard how the defendant operated without a permit despite receiving advice and guidance from the Environment Agency and assuring officers he would apply for a permit. The business had traded for some 18 years.

An investigation was launched by the Environment Agency in 2014 after officers suspected Les Allen Waste Disposal Services was still operating illegally. The transfer of waste was often not recorded and when it was, the records were either inadequate or misleading.

Waste was recorded as being taken from a customer direct to an approved site when, in actual fact, it was transported to Perranuthnoe for sorting before being taken to various sites. The business benefitted financially from operating without an environmental permit.

During their investigation, Environment Agency officers recovered asbestos from a pile of waste at the site. It had not been bagged or stored in a secure container as is required by law.

Sentencing Allen and his site manager, Richard Shore, Judge Carr said the handling of asbestos was a 'great responsibility' and the defendants had exposed themselves and others to risk. He said poor record keeping meant we would never know what waste went through the site.

On 5 February 2016, the Environment Agency discovered Leslie Allen was continuing to run an illegal waste operation despite having been interviewed under caution and giving an assurance he would stop. The business was operating a crusher and swing shovel on land near Sunnyvale Farm, Rosudgeon, Penzance and treating mixed construction and demolition waste to raise a ground level without an Environment Agency authorisation.

Sophie Unsworth of the Environment Agency said:

Waste sites must operate within the law and always put human health and the environment above financial gain. This is especially important for sites receiving hazardous waste such as asbestos.

Despite being given repeated advice and guidance by the Environment Agency, the owner chose to continue to operate illegally, receiving, handling and storing waste, without a permit.

Leslie Allen was fined £40,000 for two offences under the Environmental Permitting (England and Wales) Regulations 2010 including, between 17 November 2014 and 6 November 2015 and 5 February 2016 operating a regulated facility, namely a waste operation at The Workshop, Perranuthnoe Lane, Perranuthnoe and on land adjacent to Sunnyvale Farm, Rosudgeon, Penzance without an environmental permit.

He was also ordered to pay £14,200 costs and £25,772 under the Proceeds of Crime Act. Allen was warned that failure to pay would result in a 9-month prison sentence.

The site manager, Richard Shore, was fined £4,000 for the same offences and ordered to pay £2,000 costs.

The sentencing hearing took place at Truro Crown Court on 10 April 2017.

The Environment Agency is currently running a [Right Waste Right Place campaign](#) aimed at small to medium sized businesses who need waste advice.

Notes to editor

- Waste crime can cause serious pollution to the environment, puts communities at risk and undermines local businesses. It's a serious issue, diverting as much as £1 billion a year from legitimate business and the Treasury.
- Waste crime is an issue that we and the government take very seriously. The Environment Agency has enhanced powers – introduced in 2015 – to tackle illegal activity at waste sites.
- The Environment Agency stopped nearly 1,000 illegal waste sites from operating in 2015/16.
- 97% of waste management operators are well run and provide a much needed waste management service. But we take tough action against poor performing companies and those who commit waste crime.
- If you see waste crime report it by calling our incident hotline on 0800 80 70 60 or anonymously to Crimestoppers on 0800 555 111.