

Press release: Custodial sentence for rogue waste operator

David Shrigley was described as a 'willful and persistent' offender who flouted the law for financial gain over a lengthy period of time.

Shrigley and his former wife, Donna, were directors of DRS Demolition National Ltd and operated a waste transfer station at Domellick Manor, St Dennis, Cornwall. Magistrates accepted that David Shrigley, 68, was largely to blame for the offences and that his ex-wife, Donna Shrigley, 47, had a far lower culpability.

In 2015 the company went into liquidation and its operating licence was disclaimed. Prior to liquidation, the Environment Agency had become increasingly concerned at the growing quantity of waste being stored at the site.

The operator continued to accept waste which generated income, but failed to process and transfer it off site. The build-up of material, that included mixed landfill waste, posed a serious fire risk and could have caused environmental harm. The company saved money by failing to transfer processed waste off site.

Despite repeated requests from the Environment Agency, the company failed to remove excess waste and improve its management of the site before going into liquidation. This culminated in the directors being served with an Enforcement Notice.

In April 2016 David and Donna Shrigley were jointly convicted, at Bodmin magistrates court, with failing to comply with an Enforcement Notice, breaching permit conditions and operating without a permit. Sentencing included the issuing of a court order for all the controlled waste at Domellick Manor to be cleared and taken to a licensed site for safe disposal within 18 months.

On 12 October 2017, an Environment Agency officer visited the site and saw the court order hadn't been complied with. He found evidence of fresh waste deposits and signs that tracked vehicles had been operating at the site.

Richard Cloke for the Environment Agency said:

It is essential waste is managed properly. Failure to do so poses a real threat to people living nearby and to the environment, from pollution, odours and fire risk, and can result in expensive clean-up costs. It also undermines the business and reputation of legitimate operators who are doing the right thing. This case demonstrates that courts are increasingly taking illegal waste activity very seriously. We hope this sentence acts as a deterrent to those that might be tempted to flout the law.

David Shrigley, 68, was sentenced to 40 days in prison and ordered to pay £1,039 costs for failing to comply with a court order made under Regulation 44 of the Environmental Permitting (England and Wales) Regulations 2010.

Magistrates accepted Donna Shrigley had been unable to clear the site without the co-operation of her ex-husband following their divorce. Crucially, he had failed to transfer ownership of the site away from her as promised; placing her at risk of prosecution. As a result, the court imposed a minimal fine of £1.00 with £259 costs.

The court order is still in place and legal responsibility for the removal of waste from Domellick Manor remains with David Shrigley.