

Press release: Edward Donovan nearly jailed for trashing Devon countryside

A waste removal businessman who blighted Devon countryside with 2,000 tons of rubbish – then set fire to it – has narrowly avoided jail.

The Environment Agency prosecuted Edward Donovan, of Churchill Drive, Crediton, for a range of offences after he turned part of an elderly land owners' farm at Spreyton into an illegal waste site. It was here he dumped waste he collected from commercial businesses across central and east Devon as EDS (Ed Donovan Services).

Donovan pleaded guilty to charges under the Environmental Protection Act at Exeter Magistrates Court, which included running a waste site on land owned by a couple in their 70s without a permit, causing pollution and setting fire to waste. He was given a jail sentence of 18 weeks, suspended for two years, and banned from the waste trade for five years.

He was also ordered to pay Devon & Somerset Fire & Rescue Service £1,232 – the amount it cost the service to attend a large waste fire he set at the location last year. Donovan also has to pay £4,252 costs to the Environment Agency.

The officer in charge of the case said it was one of the worst illegal waste sites he had encountered

Adrian Evans, of the Environment Agency, said:

This is one of the worst incidents of illegal waste management I have come across for some time.

The defendant showed a complete disregard for the environment, health and safety and for the owners of the land and their neighbours.

As well as furniture, plastics, plasterboard and other vast quantities of waste which were strewn across a large area, we found materials containing asbestos.

The land owners were unaware of Donovan's activity, who had been allowed to use the site from May 2017 in lieu of payment for dismantling and removing three caravans. When they found out, they were horrified and their son told Donovan to tidy up the site in November 2017. Instead, the defendant set waste alight.

When told to clear the site, Donovan instead set a fire which had to be put out by the fire service

Adrian Evans, of the Environment Agency, said:

This case serves as an important reminder to businesses and the public to be vigilant about who they allow to remove their waste.

Waste producers should always insist on seeing evidence that waste being removed will be taken to suitably licensed or exempt facilities to be properly disposed of or recycled.

Asbestos was amongst waste dumped

The Environment Agency has some simple steps for all householders and businesses to think about when giving your waste items to someone else to dispose of, whether you have paid them or not:

- Check they are a registered waste carrier. Ideally they should have a copy of their registration documents on them, ask to see these. You can check their licence number at environment.data.gov.uk/public-register, or call 03708 506506 and we can check for you.
- Get a written receipt/transfer note showing their contact details, a description of your waste and details of where they are taking it
- Note down the make, colour and registration number of the vehicle that's taking your waste away.
- If their quote seems too good to be true, it probably is. Get another quote for comparison.

Taking these steps will help us all work together to deter waste criminals and reduce illegal fly-tipping and dumping that blights communities and costs thousands of pounds to clear and make safe.

Note to Editor:

Donovan pleaded guilty and received an 18-week prison sentence, suspended for two years, for each of the following offences, to be served consecutively:

1. Regulation 12(1)(a) & 38(1)(a)&(b) Environmental Permitting Regulations 2010: 'Operate a Regulated Facility (or knowingly cause or knowingly permit) except under and to the extent authorised by an environmental permit'.
2. Section 33(1)(a) Environmental Protection Act 1990: 'Deposit or knowingly cause or knowingly permit the deposit of controlled waste on land without the benefit of an Environmental Permit authorising the deposit'.

3. Section 33(1)(b) Environmental Protection Act 1990: Submit controlled waste (by burning), or knowingly cause or knowingly permit 'controlled waste to be submitted, to any listed operation that is not carried out under and in accordance with an environmental permit'.
4. Section 33(1)(c) Environmental Protection Act 1990: 'Treat Keep or dispose of controlled waste in a manner likely to cause pollution of the environmental or harm to human health'.
5. Section 34(6) Environmental Protection Act 1990: Failure to ensure a waste transfer note (required by the Environment Protection (Duty of Care) Regulations 1991) was completed and signed on the transfer of waste.

Donovan was also given a five-year Criminal Behaviour Order preventing him from working in the waste industry.