

Press release: Rowanoak directors found guilty of waste crime

The Environment Agency have successfully brought those responsible to account for abandoning 2,000 tonnes of waste at Shaw Road, Dudley in 2016.

On Wednesday 5 June, jurors at Wolverhampton Crown Court convicted the directors of Rowanoak Waste Services Limited for their failure to comply with permit conditions and enforcement notices at the site known as Rowanoak.

The court heard that operations at the site led to complaints of smells and dust. Employees of nearby businesses described the smell as 'stomach churning' and felt physically ill as a result of the odour coming from the site. The smell was described as rotting vegetables and resembled that of sewage. The dust had an impact on neighbouring businesses, covering customers' cars and business vehicles. Debris from the waste piles blocked the guttering and affected air conditioning at nearby factory units.

Rowanoak Waste Services Limited and director Kevin Allan were found guilty on all counts in relation to failures to make sure the Shaw Road site was operated in accordance with the conditions of the permit and compliance notices.

Randle Hawkins was found guilty of non-compliance with a revocation notice but cleared of four other charges relating to the breach of permit conditions and enforcement notice. Mr Hawkins stated during the trial that he was unaware that he was a director at the relevant times.

Mak Waste Ltd and its director Brian McIntosh, had previously admitted their part in the failure to comply with the conditions of the permit on the site and the continual failure to action requests for compliance made by Environment Agency officers.

Edward Venables (formerly Boulton), also a director of Mak Waste Ltd, was found not guilty of all three charges against him.

The activities on site were in breach of the conditions of the permit. The Environment Agency used various enforcement tools to try and bring the site back into compliance, but those operating the site failed to act on the advice and guidance provided. Enforcement notices were not complied with and the site was then abandoned in 2016 with a significant amount of waste left in situ. Environment Agency officers worked with the landowners and the waste was removed in March 2017.

It is expected that His Honour Judge Kershaw will sentence all defendants at Wolverhampton Crown Court later this year.

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

Waste crime is a serious offence with tough penalties. It can damage the environment, blight local communities and undermine those who operate legally. We aim to disrupt, prevent and investigate illegal waste activity and take enforcement action where we can. In this case, those found guilty, by being in breach of their permit, continued to operate their site illegally and continually ignored the Environment Agency's efforts to reduce the waste.

The Environment Agency use all the enforcement powers available where we believe environmental offences have been committed.

Allan, McIntosh and Hawkins have shown a complete disregard for the local community, subjecting local businesses to months of misery by illegally and inappropriately storing large quantities of waste on the site.

Everyone who disposes of waste has a duty of care to ensure their waste is handled correctly. Whether you are a business, local authority or householder you must make sure you know where your waste goes so it doesn't end up in the hands of illegal operators.

You can help disrupt and prevent waste crime activity by reporting it. The Environment Agency urge people to report waste crime on our Incident Hotline 0800 80 70 60 or anonymously to Crimestoppers on 0800 555 111.