

Press release: Wiltshire man handed suspended prison sentence for running illegal waste activity

Mr. Robert Cooper, 78, of Hicks Leaze Farm, Chelworth appeared at Swindon Magistrates Court on Monday 5 June 2017 for operating a regulated waste facility without the necessary environmental permit (contrary to regulations 12 (1)(a) and 38 of the Environmental Permitting Regulations 2010) at the Farm between 9 April 2014 and 10 July 2014.

The defendant had pleaded guilty at an earlier hearing on 15 May but the case was adjourned for a pre-sentence report due to the facts of the case and his previous waste offences.

Mr Cooper was given a 12 week prison sentence, suspended for 2 years and ordered to perform 200 hours of unpaid work. The court also ordered Mr Cooper to pay the Environment Agency's full costs of £13,027.35

Mr Howard McCann prosecuting, told the court how the Environment Agency started investigations following complaints from members of the public about the burning of material in December 2013, and the sheer number of lorries dumping waste on site from April 2014 onwards.

Environment Agency officers visited the site and witnessed large quantities of waste including 4 large mounds of construction and demolition (C&D) waste, the largest of which was measured at approximately 65 metres long, 7 metres high in places and between 5 to 7 metres wide. Officers estimate a total of about 8,285 cubic metres of waste on site. The farm is about the size of 9 football pitches. Mr Cooper allowed people to tip their mixed waste for up to £40 per load, treated it by sorting the materials and then burning some of it.

Mr Cooper charged people between £10 (green waste) and £40 per 20-tonne load (C&D waste). Given the main waste mounds discovered by officers, they calculated that Mr Cooper could have made more than £23,000 from his illegal activities. The court found that Mr Cooper's actions were deliberate and that the environmental harm was localised due to the presence of plasterboard, chemical drums and leachate seen on site. The justices also found that the offending was repeated and for financial gain. The court gave Mr Cooper credit for his early guilty plea and co-operation with the Environment Agency throughout its investigation.

Checks with the Environment Agency's public register confirmed that he did not have a permit for the site, and although he did have 6 waste exemptions, none of these would have allowed him to carry out the types of activities seen by officers.

All waste activities are regulated by the Environment Agency. Whenever waste

is stored or treated, the operator is required to hold an environmental permit or register for an exemption, which is reserved for low-risk waste activities only.

During site visits, Environment Agency officers observed the burning of waste with discarded empty containers labelled as "dangerous to the environment". One officer experienced a strong acrid smell which made him feel so unwell that he had to use a protective dust mask. The officers saw what appeared to be leachate puddles in and around the burning waste and plasterboard, which cannot be disposed of to landfill with other biodegradable waste as it can produce toxic hydrogen sulphide gas.

Steve Clare of the Environment Agency said:

It is very disappointing that Mr Cooper continued to allow the operation of an illegal site despite his previous convictions.

The net is closing in on people who think they can make easy money undercutting legitimate waste businesses by putting the local environment at risk. We are constantly gathering information on illegal waste sites, criminal activities and environmental crime in Wiltshire and across the south east.

We are taking a zero tolerance approach against offenders. In cases like this where individuals consistently operate illegally, we have absolutely no hesitation in prosecuting them, as we want to make sure that waste crime doesn't pay.

This extends to landowners, and their agents, who fail to take steps to prevent such offences once they are made aware of them.

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