

Press release: Yorkshire waste criminals ordered to pay back cash

Two men have been handed a suspended prison sentence and ordered to pay back hundreds of thousands of pounds of money they illegally earned after a proceeds of crime hearing at Sheffield Crown Court on Tuesday 9 October.

Andrew Lawrence Green, 54, from Shafton, Barnsley, and Dean Ryder, 54, of Top Fold, Doncaster, were also given a Community Order with an unpaid work requirement of 200 hours following their conviction for three separate offences at Barnsley Magistrates' Court in December 2014 which were upheld after an appeal hearing at Sheffield Crown Court in March 2016.

The defendants were back at Sheffield Crown Court again on Tuesday 9 October, in a case brought by the Environment Agency under the Proceeds of Crime Act, following a financial investigation into the lawful costs they avoided from their crimes.

It followed a multi-day trial in the Magistrates' Court which concluded in December 2016, a two day Crown Court appeal which concluded in March 2016, a Judicial Review hearing which took place in December 2016 and confiscation proceedings that took place in 2017 which concluded on Tuesday.

During the Magistrates trial and Crown Court appeal, the court heard how Green and Ryder's company, Grantscope Ltd, which went into liquidation on 12 September 2012, failed to comply with a Regulation 36 enforcement notice served by the Environment Agency in February 2012 after the illegal deposit of waste outside of its Goodwin's Yard site in Barnsley.

The company's environmental permit, which is a necessary requirement for the operation of a waste facility and sets out the conditions by which a company must comply in order to protect health and the environment, was subsequently revoked, effectively ending its ability to operate at the site. Despite this, the defendants, who jointly owned Goodwin's Yard, continued waste operations in contravention of the law including processing waste into trommel fines which were then bagged up to be sold as topsoil.

The court also heard that the defendants accumulated a waste pile of nearly 13,000 tonnes before abandoning the waste.

Prior to the proceeds of crime case, the defendants were found guilty of the separate offences of depositing waste outside a permitted area in December 2011; operating a regulated facility without a permit between 20 November 2012 and May 2013; and failing to comply with steps 2-7 of a regulation 36 notice dated 7 February 2012.

Mr Recorder Preston remarked whilst sentencing that the he found the offending was, "Deliberate, flagrant and persistent by you both" and that he only suspended the sentence given the length of the proceedings, their ages

and for the sake of their families.

Green and Ryder's criminal benefit from operating a regulated facility without a permit was found to be £276,000 in equal share. Ryder has sufficient assets so must repay £138,002 within three months or face a default prison sentence. Green has assets less than that figure, but must repay £121,422.72 within three months or face a default prison sentence.

Mitigating for Mr Ryder Ms Penchon said: "The age of the offending should be borne in mind. This waste was dumped on a waste transfer site. There has been no environmental harm." She explained the court process had taken its toll on Mr Ryder.

Mitigating for Mr Green, Mr Copeland explained that skips containing waste had only been deposited unlawfully after a fire at the site. The cause of the fire was arson. There had also been no environmental harm.

Waste crime does not pay

The Environment Agency's Caron Osborne said:

Between them, Green and Ryder have been ordered to pay more than £250,000, which is a significant confiscation order that sends out a clear message to others who flout the law that waste crime does not pay.

Not only do we use environmental law to prosecute those who abuse the environment but we also use the Proceeds of Crime legislation to ensure that criminals are deprived of the benefits of their illegal activity.

Waste crime undermines legitimate businesses and can have significant detrimental impacts on communities and the environment. In this case, the two men abandoned around 13,000 tonnes of waste material.

This hearing demonstrates how seriously we take waste crime and we'll continue to take action against those operating outside of the law and the regulations.