

Somerset farmer fined second time for polluting Frome watercourse

The case was heard at North Somerset Magistrates Court on 28 June 2022.

Cross Keys Farms Ltd pleaded guilty to causing an unpermitted discharge of slurry. This polluted the Somerset Frome river in Frome, turning it brown and smelly in August 2020. The slurry pollution killed more than 120 adult fish, including many large pike, roach and chub.

He was fined £12,000 and ordered to pay costs of £13,631.08.

In 2017 Aylesbury was found guilty of polluting this same stretch of the River Frome in 2016, killing more than 1,700 fish.

Members of the public alerted the Environment Agency to the pollution on 20 August 2020. Local residents carrying out 'citizen science' river monitoring provided helpful evidence for our investigation.

Reminded of the 2016 pollution incident, the sight of dead and dying fish distressed many people. One local fisherman described feeling 'physically sick' from the strong putrid smell of dead fish and said the sight of the dead fish was 'heart breaking'.

The pollution came from slurry that had been washed out of a soiled cattle trailer and rinsed out on to a concrete yard at Bollow Farm, Silver Lane, East Woodlands.

Also, a pile of slurry left open to the elements was washed into the surface water drain, ending up in the river.

Environment Officers found the ditch and river smelt strongly of slurry and low in dissolved oxygen. Investigations also showed that the slurry pollution resulted in the death of most invertebrates over more than 2.6 kilometres downstream.

Andy Grant, Environment Officer, said:

It was very disappointing to find another pollution from Bellow Farm following a previous prosecution for a major incident. The river was just beginning to recover and the fish population was showing signs of improving.

Informing us of the slurry spillage and keeping an eye on nearby watercourses are two simple actions the farmer should have taken to protect the local environment.

We restocked the river following the 2016 incident and it is so disappointing to see that work undone.

Luke Kozak , a Project Manager from the Environment Agency's Environment Programme Team said:

We are actively working with our partners in the Somerset Frome catchment to improve the water quality and habitat for people and for wildlife. Farming Wildlife advisory Group SW are leading an EA funded project focussed on working with farmers to improve their land management practices in order to reduce sediment reaching the river.

The Wild Trout Trust are leading a project in Frome Town Centre to enhance river habitat, which will also investigate the possibility of removing impoundments, increasing habitat connectivity and improving fish passage.

If anyone is concerned about pollution or an environmental incident they should call the Environment Agency's 24-hour incident hotline on 0800 80 70 60.

Charges

- Between 18 August 2020 and 27 August 2020 Michael Aylesbury did cause an unpermitted water discharge activity, namely the discharge of poisonous, noxious or polluting matter from Bollow Farm, Silver Lane, East Woodlands, Frome, Somerset into inland fresh waters

Contrary to Regulations 12(1)(b) and Regulation 38(1)(a) of the Environmental Permitting (England and Wales) Regulations 2016.

- On or before the 20 August 2020 at Bollow Farm, Silver Lane, East Woodlands, Somerset Michael Aylesbury failed to ensure that slurry was stored in accordance with Regulation 4(1) of the Water Resources (Control of Pollution) (Silage, Slurry and agricultural Fuel Oil) (England) Regulations 2010

Contrary to Regulation 10(1) of the Water Resources (Control of Pollution) (Silage, Slurry and agricultural Fuel Oil) (England) Regulations 2010.

Citizen science

The Bristol Avon Rivers Trust (BART) offer opportunities to carry out citizen science monitoring through their 'RiverBlitz' project and 'River Fly Monitoring' – further information can be found by visiting the BART website <https://bristolavonriverstrust.org/>.