

# [Press release: Worcestershire man sentenced for waste offences](#)

Yesterday (16 August 2017), Mark Smyth, aged 40, from Pershore, Worcestershire was sentenced to 12 months imprisonment suspended for 18 months, with 200 hours unpaid work following a prosecution brought by the Environment Agency at Worcester Crown Court. He was also ordered to pay £10,000 compensation to the landowner and disqualified from acting as a company director for 7 years.

Mr Smyth, who was the sole director of Arrow Gypsum Recycling Ltd, pleaded guilty to breaching the company's environmental permit condition and was found guilty of failing to comply with an enforcement notice served by the Environment Agency,

## **Events leading to the prosecution**

During early 2015, the Environment Agency received a report that gypsum waste was being stored outside the building on the site. The conditions of the environmental permit stipulated that waste must be stored within the building, to avoid any risk to the environment.

Further investigations established that Mr Smyth had abandoned the site, leaving 29 tonnes of gypsum plasterboard outside the building and in excess of 5,000 tonnes inside the building. Attempts were made by Environment Agency officers to speak to Mr Smyth about the permit breach and clearance of the material outside. When Mr Smyth failed to respond, a formal enforcement notice was served, requiring him to clear the waste he abandoned on the site he rented at Crucible Business Park in Norton, Worcester. Mr Smyth ignored the enforcement notice.

## **Comments during the court hearing**

During the trial the defendant claimed not to have received the enforcement notice. This was not accepted by the Magistrates, who found the defendant did receive the notice, but chose to bury his head in the sand and ignore it.

Environment Agency officers have worked with an agent of the landowner to clear the site, at a cost of £450,000. At Worcester Crown Court, His Honour Judge Cole, found that the substantial clean up costs was a serious aggravating feature of the case. It was clear to the court that once the processing of the gypsum waste ceased and the building became full, Mr Smyth should have stopped accepting the waste, but he did not. He deliberately continued accepting waste, leading to the breach of the permit; waste being stored outside. Mr Smyth ignored his responsibilities as the director of the company and left the waste on the site at considerable cost to the landowner.

In mitigation the court heard that Mr Smyth intended to operate the business in line with the permit when he took over the business in 2013, but when the

processing of the waste stopped, he had contracts that had to be honoured, so he carried on accepting the waste.

HHJ Cole suspended the term of imprisonment, taking into consideration the potential impact on Mr Smyth's 12 year daughter and her mother, along with Mr Smyth's previous good character.

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

Waste crime is a serious offence with tough penalties as it can damage the environment, blight local communities and undermine those who operate legally. This case sends out a clear message that we will not hesitate to take action against anyone that fails to comply.

You can call the Environment Agency on 0370 850 6506 to find out how to responsibly manage any waste your business produces or visit the [manage your waste](#) GOV.UK pages.

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## **Press release: Angler arrested and fined after obstructing a water bailiff**

James Jones, 21, of Blodwen Road, New Inn, Pontypool was caught with a rod and line but no licence on the River Severn at Worcester on 18 February. Initially he gave a false name and was arrested by the bailiff, but after giving his correct details was issued with a ticket.

Jones was summoned to appear in court on 3 August but he did not attend, so the magistrates issued a warrant for his arrest. He was then arrested by West Mercia Police and brought to court.

After pleading guilty he was fined £120 for obstructing the bailiff and ordered to pay costs of £172 and a victim surcharge of £30. This offence is reportable to the Police National Computer and has been reported to the ACRO Criminal Records Office.

Andrew Eardley of the Environment Agency said:

Water bailiffs have the powers of police constables, including the power to arrest. This case demonstrates that we won't give up on tracking down offenders who obstruct our officers, and the police

are willing to support us by executing arrest warrants.

Most anglers enjoying the sport fish legally, but there continues to be small number of anglers who fail to buy a fishing licence. These few are cheating their fellow anglers and the future of the sport.

An annual licence costs from just £30. It seems ridiculous that anglers risk significant fines and costs, a criminal conviction and the loss of their fishing equipment for such a small fee.

Speaking for West Mercia Police, Alexa Neville said:

British conservation-based angling law is in place for a very good reason and we can, and do, take action to support the Environment Agency in its duty of fishing enforcement.

West Mercia Police and our partners also have Operation Leviathan in place to raise awareness of fish theft, illegal angling and anti-social behaviour around waterways.

Money from fishing licence sales is invested in England's fisheries and is used to fund a wide range of projects to improve facilities for anglers including protecting stocks from illegal fishing, pollution and disease; restoring fish stocks through re-stocking; eradicating invasive species; and fish habitat improvements. Licence money is also used to fund the Angling Trust to provide information about fishing and to encourage participation in the sport.

You need a valid Environment Agency fishing licence to fish for salmon, trout, freshwater fish, smelt or eel in England. [Buying a rod licence](#) is easy. A licence lasts 365 days from the day you buy it.

Anyone witnessing illegal fishing incidents in progress can report it directly to the Environment Agency hotline on 0800 80 70 60. Information on illegal fishing and environmental crime can also be reported anonymously to Crime stoppers on 0800 555 111.

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## **Press release: Contract award – Operations Site Works**

The four-year Operations Site Works framework has a value up to £160m and will provide engineering support services to Sellafield's reprocessing plants and associated facilities.

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## **Notice: GL2 8HR, Mr Jon Smith, Mrs Josephine Smith, Mr Thomas Smith (t/a GM Smith and Son): environmental permit draft decision advertisement**

The Environment Agency consults the public on certain applications for waste operations, mining waste operations, installations, water discharge and groundwater activities. In some cases they also consult on draft decisions for environmental permits. The arrangements are explained in its [Public Participation Statement](#)

These notices explain:

- the Environment Agency's proposed decision and the reasons and considerations on which they've based this
  - additional relevant information available since the application was advertised
  - any information or guidance provided by the Secretary of State relevant to the application
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## **Notice: Closure at Folly Bridge, Oxford 2017: river closure notice**

River Thames restriction information for Monday 21 August 2017 to mid-October 2017.