

Waste criminals fined a combined £1,440 after depositing waste at illegal sites

The Environment Agency has successfully prosecuted Brian Ward, Patrick Ward and Patrick Ward (unrelated), at Wimbledon Magistrates Court for waste crimes.

Mr Brian Ward (21), of The Gardens, Bessbrook, Newry, pleaded guilty to 3 charges of unlawfully depositing waste on land off Bianca Road in Peckham. He was fined £480 and ordered to pay £3,777 in costs and a £48 victim charge.

Mr Brian Ward pleaded guilty for offences committed between 2 and 6 December 2019, of depositing mixed waste at an illegal waste site on Bianca Road.

Mr Patrick Ward (50), of Dobsons Way, Bessbrook, Newry, pleaded guilty to one charge of knowingly causing the unlawful depositing of waste at an illegal waste site at Herringham Road, Charlton. He was fined £480 and ordered to pay £48 victim charge.

A vehicle that was owned and insured by Mr Patrick Ward (50) was filmed on CCTV entering the site laden with waste and then reversing into a warehouse on 30 September 2021. The vehicle was subsequently filmed driving away with the vehicle empty of waste. Mr Patrick Ward (50), in pleading guilty, accepted that he was either in control of the vehicle or in a position to control it and, accordingly, accepted that he knowingly permitted the unlawful deposit of waste.

Mr Patrick Ward (26) of St. Marys Street, Newry pleaded guilty to 3 charges of knowingly causing waste to be unlawfully deposited at an illegal waste site at Pensbury Place, Wandsworth, London.

Between 14 and 19 November 2021, a vehicle insured to Mr Patrick Ward was filmed 3 times on CCTV entering the site at Pensbury Place with waste in the vehicle and subsequently filmed twice leaving the site without any waste.

The 3 sites at Herringham Road, Pensbury Place and Bianca Road were all the subject of incursions by travellers who cut locks to gain access and then moved in, taking up residence. They then proceeded to deposit waste at each site before eventually being evicted.

The case is part of a series of prosecutions resulting from the Environment Agency's major investigation into waste crime in London, Operation Angola. The Environment Agency is targeting waste criminals who break into empty sites and fill them with waste. All the sites in these prosecutions had been broken into and set up as illegal waste sites.

Sean Coleman, Environment Manager for the Environment Agency, said:

These prosecutions along with others from Op Angola, send out a strong message that we will search out and prosecute anyone found to be dumping waste illegally. We're pleased that our hard work has resulted in securing these convictions. Op Angola has now secured 20 convictions.

Illegally depositing waste at illegal waste sites without regard for the environment and the law, blights communities and undermines the legitimate businesses that follow the rules.

In many cases householders and businesses are offered cheap waste clearance by rogue operators who then dump it illegally. We urge everyone to check that their waste collector is registered as a waste carrier or they could also unwittingly become liable to prosecution.

To check a waste collector is registered as a waste carrier, you can [check on Gov.uk](http://www.gov.uk)

Operation Angola is an ongoing investigation since 2015 into a series of incursions by groups of individuals onto third party sites throughout the South East of England who have, while in occupation, unlawfully deposited large quantities of controlled waste. Often referred to as 'fly tipping', the scale of offending under Operation Angola is estimated to have cost its victims in the region of £22 million to date.

Under Operation Angola, since 2017, Environment Agency investigators and partners either have or are currently investigating or prosecuting a total of 23 offenders for Offences Contrary to Section 33(1) of the Environmental Protection Act 1990 (Unlawful Depositing of Waste on Land) and other associated offences.

Waste crime is a major issue across the country, not only spoiling our environment and impacting on our health but it also effects the economy and undermines legitimate businesses. The Environmental Services Association have estimated that illegal waste activity costs over £1 billion annually in England.

Waste crime is much more than fly tipping, it also includes operating without the correct permits and authorisations, large scale illegal dumping, burning of waste, mis-description of waste, operating illegal waste sites and illegally exporting waste. Waste criminals are becoming more sophisticated by working in a more organised manner and infiltrating legitimate industry. They operate across county boundaries and they are likely to be involved in a wide variety of other criminal activity such as drugs trafficking, modern slavery, firearms and fraud.

Brian Ward (DoB 01/10/2001) –

This offence is charged under Section 33 (1) and (6) of the Environmental Protection Act (EPA) 1990. Section 33 (1) of the Environmental Protection Act

(EPA) 1990 states that "a person shall not-

- Deposit controlled waste, or knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a waste management licence (an environmental permit) authorising the deposit is in force and the deposit is in accordance with the licence (the permit)".

Section 75 (4) to the EPA 1990 defines controlled waste as meaning "household, industrial and commercial waste or any such waste". Section 75 (2) defines "waste" as meaning "anything that is waste within the meaning of Article 3 (1) of Directive 2008/98/EC" (the Waste Framework Directive – WFD).

Article 3(1) to the Waste Framework Directive states that: "For the purposes of this Directive, the following definitions shall apply: "waste" means any substance or object which the holder discards or intends or is required to discard".

Section 33 (6) to the EPA 1990 stipulates that a person who contravenes subsection (1) commits an offence. The offence is 2 3 either way. Section 33 (8) provides that upon summary conviction the offence is punishable either with a term of imprisonment not exceeding 6 months or a fine or both; upon conviction on indictment, the offence is punishable with a term of imprisonment not exceeding 5 years or a fine or both.

Patrick Ward (DoB 10/02/72) –

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Section 33 (5) to the EPA 1990 states that, "Where controlled waste is carried in and deposited from a motor vehicle, the person who controls or is in a position to control the use of the vehicle shall, for the purposes of subsection (1) (a) above, be treated as knowingly causing the waste to be deposited whether or not he gave any instructions for this to be done".

Patrick Ward (DoB 25/11/1995) –

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- Deposit controlled waste, or knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a waste management licence (an environmental permit) authorising the deposit is in force and the deposit is in accordance with the licence (the permit)”

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