

## **Press release: Waste companies fined for sub-contracting to fly-tippers**

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Two Essex companies have received fines and charges totalling more than £45,000 after sub-contracting waste clearance work to a rogue carrier who went on to fly-tip the waste in Colchester.

Waste from a Colchester plant nursery was dumped at a nearby farm and an industrial unit in the town, leading to two companies appearing in a court hearing on Thursday 23 May 2019.

The nursery owner had paid waste and demolition company Walsh & Sons Ltd of West Horndon, Brentwood, £25,000 to clear his site but the waste was fly-tipped at Lodge Farm in Great Horkesley and outside a unit in Axial Way, Colchester.

Mrs Sarah Dunne, prosecuting for the Environment Agency, told Chelmsford Magistrates' Court that waste and demolition company Walsh & Sons said they had sub-contracted the job to Calahans Cleaning Services Ltd of Stanford Le Hope. There was no written contract and neither company complied with its statutory duty of care.

She told the court that Nick Walsh, director of Walsh & Sons, had acted "with integrity" once he knew of the fly-tipping and had arranged for the waste to be cleared within 9 hours. Both companies had pleaded guilty and had apologised for the errors made.

The court heard that Calahans had employed a skip company to take the waste but had failed in their duty of care to check if the company was registered to carry waste, ask to where the waste would be taken, or completed any transfer of waste papers. The failure to complete and retain Waste Transfer Notes had made it impossible for the fly-tippers to be traced.

Mrs Dunne told the court:

The quantity of fly-tipped material was large and ugly and affected

two locations. Both defendants failed to exercise their statutory duty of care and the waste was dumped as a result of these failures.

Ordering Walsh & Sons Ltd to pay a fine of £33,500, costs of £2,924.26 and a victim surcharge of £170, presiding magistrate Simon Phillips said the company had displayed a “high degree of negligence”.

Calahans Cleaning Services Ltd were ordered to pay a £6,000 fine together with costs of £2,924.26 and a victim surcharge of £170. The presiding magistrate said that the failure to take reasonable measures meant that “the opportunity to find the offender was lost”.

After the hearing, Environment Officer Sarah Frost said:

The duty of care cannot simply be delegated to another company. There is a duty to check how the next waste holder in the chain will handle the waste and where the waste’s journey will end.

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## [News story: Tobii’s purchase of Smartbox raises competition concerns](#)

Tobii and Smartbox design and supply technology – known as augmentative and assistive communication or “AAC” solutions – that enables people with complex speech and language needs to communicate. This could include a computerised device with an additional access method such as a joystick or eye gaze camera.

The Competition and Markets Authority (CMA) launched a [Phase 2](#) inquiry in February after initial competition concerns led to the merger being referred to a Group of independent panel members at the CMA for an in-depth investigation.

In its provisional findings, the Group has found that the merger could lead to a substantial lessening of competition in the supply of certain AAC solutions, where the businesses are the two leading suppliers and compete closely.

Kip Meek, chair of the independent inquiry group carrying out the investigation, said:

This is vital equipment, used by many people who have difficulty

communicating because of a disability or illness. It is typically bought on behalf of the those that need it by the NHS, charities and schools, so it's important to ensure that pricing remains competitive.

We are concerned that the merged company would face little competition, which could lead to higher prices, reductions in the range of products available for users and less product development.

The CMA has set out potential options for addressing its provisional concerns, which include blocking the deal by requiring Tobii to sell the Smartbox business.

Views are invited on the provisional findings by 20 June 2019 and the notice of possible remedies by 13 June 2019. The CMA's final report will be issued by 25 July 2019.

More information can be found on the [Tobii/Smartbox case page](#).

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## **[Press release: Vaccine for older adults gives significant protection against flu](#)**

Flu vaccine effectiveness data shows newly available adjuvanted influenza vaccine provided about 60% effectiveness for those aged 65 years and over.

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The [annual flu report](#) published by Public Health England reports that Influenza A(H1N1)pdm09 was the main strain circulating this season although Influenza A(H3N2) also circulated later on. Low to moderate levels of flu activity were seen in the community although impact on secondary care in terms of hospitalisations and ICU admissions was high.

The report shows that the flu vaccine offered to those eligible for

immunisation this season reduced the likelihood of visiting the GP because of flu by approximately 44%.

Flu is known to particularly affect older people as they tend to have weaker immune systems. The adjuvanted vaccine, which was given to the majority of adults aged 65 and over for the first time this season, was estimated to have provided approximately 60% protection against the flu strains circulating this winter.

More children also took up the offer of the flu vaccine this winter than ever before, with around 3 million being vaccinated. As younger children have poorer hand and respiratory hygiene than adults, they tend to spread flu more easily, so vaccinating children, protects not only them, but also other vulnerable groups around them. Next season, all children up to the age of 10 years will be offered the nasal spray vaccine which means that all children in primary school will be eligible across the whole of the UK.

Dr Richard Pebody, Head of Flu at Public Health England, said:

We're pleased that the adjuvanted vaccine, which was offered to older adults for the first time this year in England provided encouraging protection against the main circulating strains this winter. The flu vaccine programme demonstrates the value of vaccination throughout the life course.

We're pleased that more parents have been taking up the offer of vaccination for their children – and encourage anyone who is eligible to do so every winter. It's the best defence we have against this unpredictable virus.

Seema Kennedy, Public Health Minister said:

It's great to see that most 65 and overs in this country received the flu jab this year and those who did so were at a reduced risk of getting flu and less likely to have to see their GP as a result.

It's also really promising to see that this year around 3 million children were vaccinated – and we're expanding and improving the vaccine programme so that from next year it will be available to all children in primary school.

This data continues to prove that vaccines work – and I urge everyone to continue to take advantage of the world leading programme of vaccines we have in this country.

This season, people aged 18 to 64 in an at-risk group were offered the 'quadrivalent' vaccine in injected form (protecting against 4 strains of flu). A new 'adjuvanted' vaccine was also available for anyone aged 65 and over.

Data on the effectiveness of this season's vaccines against Influenza B strains are unavailable, as these strains have not circulated widely this season.

Reported end of season flu vaccine effectiveness against all strains was:

- 44.3% (95% CI 26.8, 57.7) across all ages
- 48.6% (95% CI -4.4, 74.7) for 2-17 year olds (LAIV only)
- 44.2% (95% CI 21.3, 60.5) for 18-64 year olds
- 49.9% (95% CI -13.7, 77.9) for those aged 65 and over (all vaccine)
- 62% (95% CI 3.4, 85.0) for those aged 65 and over (aTIV only)

People who are eligible for the flu vaccine this year included:

- adults aged 65 and over
- adults aged 18 to 64, with a long-term health condition
- children aged 2 to 3 via their GP practice
- school children in years reception, 1, 2, 3, 4 and 5
- pregnant women
- health and social care workers
- carers
- morbidly obese people

Adults with chronic conditions need the flu vaccine because people with respiratory diseases like chronic obstructive pulmonary disease (COPD), emphysema or asthma are estimated to be 7 times more likely to die if they catch flu, and people with cardiovascular problems like chronic heart disease or angina, or have had a stroke, are 11 times more likely to die compared to those without underlying health problems. The risk is far worse for those with chronic liver disease, who may be up to 48 times more likely to die if they get flu.

The World Health Organization (WHO) makes recommendations for the composition of the northern hemisphere flu vaccine every February, and this is published 6 months in advance to allow for vaccine production times. The adjuvanted trivalent influenza (aTIV) vaccine which PHE and the NHS recommended this year for people aged 65 and over, was licenced for use in this age group in September 2017. It has previously been used in other countries.