

Press release: Shropshire farmer fined £16,000 for environmental offences

On 16 April 2018, Telford Magistrates' Court fined the 55 year-old £16,000 and ordered him to pay £20,000 in costs, along with a £170 victim surcharge.

The charges were brought by the Environment Agency under the Nitrate Pollution Prevention Regulations 2008 and Sections 24(1) and (4) of the Water Resources Act 1991.

The Environment Agency discovered that between May 2015 and April 2017, the Defendant had abstracted on average over 20,000 litres of water per day from a borehole on the farmland without an abstraction licence.

Between October 2016 and April 2017, Mr Fair was abstracting an average of 67,000 litres of water per day, more than three times the legal limit. This water was being used in farming activities but was also being supplied to eight nearby tenanted properties.

Evidence gathered by Newcastle-under-Lyme Borough Council between December 2014 and May 2016 revealed that the water supplied to these properties was failing quality standards for nitrates.

A formal notice was served on Mr Fair on 13 October 2015, requiring him to notify the residents of the supplied properties advising them that the water was not fit for consumption due to high nitrate levels. The notice was withdrawn in May 2016, as a result of improvements made to the supply infrastructure by Mr Fair, including installation of a chlorination dosing pump.

Mr Fair's farm lies in an area designated a nitrate vulnerable zone. Farmers practising within these zones are required to plan and record their farming activities, including the application of manures and fertilisers, in a manner prescribed under the Nitrate Pollution Prevention Regulations 2008. The purpose of these Regulations is to protect the environment by reducing nitrate pollution.

In April 2015, the Environment Agency carried out an inspection of farming activities at Peatswood Farm. Mr Fair failed to produce records showing that in 2014 he had carried out the necessary planning and recording of his farming activities under the Nitrate Pollution Prevention Regulations 2008.

As a result of his failure to comply with the Regulations, Mr Fair was reported to the Rural Payments Agency and received a 28% reduction in his Single Farm Payment for the year 2014. The Single Farm Payment is a subsidy designed to help farmers to meet their environmental, public, animal and plant health standards.

In mitigation, Mr Fair's barrister stated that Mr Fair had no previous convictions and was a man of previous good character. He admitted that Mr

Fair had failed in his obligations under the legislation but that he had sought out new professional advice and was working to improve his farming practices. Mr Fair's barrister stated that the high nitrate levels in drinking water had been caused in-part by his tenants removing nitrate filters installed within the properties because they caused a reduction in water pressure. He further stated that Mr Fair had suffered family bereavements in 2015 and 2016.

Press release: North East man fined for illegal fishing

A Newcastle man has been fined for fishing using an illegal set line which can be damaging to fish stocks following an investigation by the Environment Agency.

Lin Zhi Jin, 42, of Belgrave Parade, Newcastle, appeared at Newcastle Magistrates' Court on Friday 13 April where he pleaded guilty to fishing using the illegal equipment. He was ordered to pay a total of £400 in fines and costs.

A set line, which is a fixed line above water with baited hooks attached to it, can result in severe injury to fish and is indiscriminate in nature, making it a damaging method of capture.

It happened in the early hours of 26 July last year when Environment Agency Fisheries Enforcement Officers were carrying out patrols of the River Tyne in the Wylam area when they saw the defendant on the river bank. He was spoken to and produced a valid rod licence, which permits fishing using a rod and line.

While checks were being carried out a search of the immediate area revealed a set line tied to a post on the river bank and leading into the river. It was hauled in and found to have four baited hooks attached to it.

Potential to damage fish populations

Kevin Summerson, Fisheries Technical Specialist at the Environment Agency, said:

The River Tyne is an important river for migratory fish and this spot in Wylam is popular for keen anglers. This type of equipment is illegal to use in rivers in England for a reason – they have the potential to cause significant damage to fish populations.

We take all kinds of illegal fishing very seriously, whether it's

those fishing without a licence or licensed anglers using illegal equipment. It's not fair on other anglers who make sure they fish within the law, and also endangers the future of the sport by damaging the sustainability of fish stocks.

The Environment Agency's work is intelligence-led and they work closely with partners to target known hot spots and where illegal fishing is reported.

Important for people to report illegal fishing

During March the Environment Agency prosecuted nine anglers at courts in the North East for unlicensed fishing and associated offences, resulting in fines and costs totalling almost £2,000.

This included three men from Morpeth prosecuted for unlicensed fishing and byelaw offences that took place on 29 September 2017 on the River Wansbeck. Fisheries Enforcement Officers were supported by Northumbria Police when they made the arrests.

Ashley Lawson, 29, of Shields Road, Dwayne Dodds, 33, of Rutherford Place, and Martin Shaun Pringle, 28, of Kitty Brewster Road, all had their cases proved in absence at South East Northumberland Magistrates' Court and received fines and costs totalling more than £1,100.

Kevin added:

As well as unlicensed fishing some of these offences included obstruction, failing to state correct names or addresses, using illegal baits, close season offences and theft. It's really important people report information about suspected illegal fishing to us so we can investigate.

The Environment Agency urges anyone to report illegal fishing by calling 0800 80 70 60 and are always looking to gather good intelligence.

With the support of the Angling Trust Voluntary Bailiffs – who keep watch on their local rivers and report suspicious activity to the Environment Agency and when appropriate, the police – this network has increased.

The Environment Agency is currently working with the Angling Trust as part of Operation Clampdown – the annual blitz on illegal coarse fishing during the close season, which started on 15 March and runs until 15 June.

All income from rod licence sales is used to fund Environment Agency work to protect and improve fish stocks and fisheries, including improving habitats for fish and facilities for anglers, tackling illegal fishing and working with partners to encourage people to give fishing a go.

Buying a rod licence is quick and easy – [you can buy them online](#)

[News story: Sports industry can be top of the league in reducing plastic pollution](#)

Environment Secretary Michael Gove will today call on sports leaders from across the Commonwealth to join the fight against plastic pollution in the world's oceans.

As part of the Commonwealth Heads of Government Meeting taking place in London this week, the Environment Secretary will host leaders from across the sports sector on board the HMS Belfast in London to drive forward innovation and agree actions to tackle the global scourge of plastic.

With mass sporting events often generating up to 750,000 plastic bottles and seven tonnes of waste, the Environment Secretary and representatives from Premier League football, swimming and ocean sailing will look at how the sector can use its influence to tackle this blight and bring about global change.

This will build on the work already underway by industry – with this year's Commonwealth Games banning the use of plastic balloons and rolling out water refills to reduce plastic, and Twickenham Stadium introducing a deposit return scheme for 'fan cups', where fans pay an extra £1 for their cup and get the money back when they return it to the bar. Tottenham Hotspur has also announced its commitment to phasing out single-use plastics across all Club operations.

Environment Secretary Michael Gove said:

Plastic pollution is one of the most pressing environmental challenges of our time and we all have a role to play to tackle the threats our oceans face.

There are few groups which have the global reach and power the sports sector does to inspire change and mobilise action. The industry is already making great strides, and I look forward to seeing how they can build on this progress to be true ambassadors for global change.

Bill Bush, Executive Director of the Premier League, will also attend the roundtable. He said:

The Premier League is well aware of the importance of taking action against plastic pollution, it affects us all and our fans expect us

to do what we can to tackle this threat. We are here today to learn from others as we develop our plans to reduce plastic use throughout our operations.

We also want to use our reach to fans here and across the world to spread the word that each and every one of us can make a difference by choosing to use less plastic.

Jointly co-hosted with United Nations Environment, attendees at the roundtable will also be encouraged to join the UN's ['Clean Seas'](#) campaign – a global initiative to reduce plastic pollution in the oceans.

Endurance swimmer Lewis Pugh will attend in his role as the UN's Patron of the Oceans. He said:

I've been swimming for 30 years and can be under no illusion life in our oceans is under threat like never before. Beaches across the world are littered with bags, bottles and straws, and plastic has made its way to some of the most remote corners of the ocean.

Single-use plastics have no place in the modern world and I will be urging sportsmen and women, especially those involved with ocean sports, to help us share this important message and be voices for the protection of our oceans.

This year's World Environment Day on June 5 will focus on the issue of plastic pollution – with UN Environment working with sports organisations across the world to take action to address their plastic footprint.

The roundtable comes as just this week the Prime Minister [announced](#) the UK and Vanuatu-led Commonwealth Clean Oceans Alliance – an agreement between member states to join forces in the fight against plastic.

Britain, together with joint chair Vanuatu, will call on other countries to pledge action on plastics, be this by a ban on microbeads, a commitment to cutting down on single use plastic bags, or other steps to eliminate avoidable plastic waste. New Zealand, Sri Lanka and Ghana have already joined.

To drive this forward, the Prime Minister also announced a £61.4 million package of funding to boost global research and help countries across the Commonwealth stop plastic waste from entering the oceans in the first place.

Guidance: Recovery of abandoned, lost and discarded fishing gear

The guidance should be read alongside MMO marine licence guidance for recreational divers to ensure both licence and other legislative requirements are fully understood and removals take place in a manner that minimises potential damage to the historic environment and marine species and habitats.

Competence, equipment and safety

Qualifications

All those undertaking diving operations should be sufficiently qualified with a relevant diving qualification body e.g. British Sub-Aqua Club (BSAC), the Professional Association of Dive Instructors (PADI) or 'Confédération Mondiale des Activités Subaquatiques' (CMAS).

All divers should be sufficiently qualified by their certifying organisation to the maximum depths required during the dive, including the use of gas mixes if required.

Leadership

Any removal activity should start with a clear briefing from the Project Manager ("the PM")

The dive and boat safety briefing should include all the normal information included in all dive day briefings, but must put special emphasis on site specific risks, additional risks from the planned tasks and reference a documented risk assessment highlighting the additional risks needed to be considered when removing fishing gear, e.g. entanglement. The briefing should cover:

- the objectives of the day and what each team will be doing
- the location of the dive site
- the location and type of fishing gear to be removed, determined from the survey
- special equipment required to remove the fishing gear
- consideration for less experienced divers and how these divers will be managed
- specific hazards likely to be encountered and how to manage the risks

All team members should attend this briefing. All project members should follow the instructions of the boat skipper or the PM.

Teams

Teams should conduct pre-dive checks as recommended by their diving organisation before entering the water. These checks should include checks on any additional or special equipment needed for the retrieval, e.g. gas

cylinders for lifting bags

The team must have a pre-agreed signal to halt any lifting or cutting operation, and a range of appropriate signals for likely actions during a retrieval.

Divers should ensure that their equipment is streamlined and that any potential entanglement points are removed.

Any inexperienced team members should be mentored before undertaking more complex retrieval operations.

Safety and lifting

Divers must not dive alone. The team members should work together to cut any entanglements and attach the lifting bags, but after this is complete, distinct pre-planned roles should be observed.

It is a critical safety aspect that only one team works on a particular piece of ALDFG at a time. Further to that, once gas is present in the lifting bags, only one diver should be involved in any further cutting or gas addition tasks.

Each team should have one diver who has the role of safety observer during the lifting phase and is not involved in the lifting work itself.

The team should have a pre-agreed signal to halt any lifting or cutting operation. This can take the form of light signal, a touch signal, or any other appropriate method. This signal can be given by any member of the team, resulting in an immediate cessation of the activity until the situation allows a resumption of the task.

Divers should carry sufficient additional gas for the use of lift bags. If using their breathing gas supply, use of this for inflation should be limited to shallow recoveries and small bags <20kg. For deeper recoveries and larger bags, an independent gas source should be used.

If the depth and time of the operation is enough that decompression stops are required, these should be pre-planned with a contingency plan, as per agency guidelines.

Removal

General principles

Divers engaged in recovery of ALDFG should respect the environment in which they are working at all times.

Divers should have a clear plan of where they intend to recover ALDFG by conducting survey dive(s) to work out how much and what type of litter is to be removed. Survey information should be used to generate plans that minimise impact to natural features, wildlife, archaeological remains or other objects

of cultural importance. More broadly, divers are encouraged to use their awareness of local endangered or sensitive species to avoid unnecessary disruption to their habitat (for instance, where the 'snagged' item is colonised at its base, it may be less-disruptive to cut above the area where species are present).

Smaller, low risk objects may be removed during the survey dive leaving larger items that require pre-planning for subsequent dives.

Divers should never interfere with active fishing gear. Removal or damage to such objects is strictly prohibited.

When ALDFG is being recovered, divers should endeavour to free any living organisms caught in the gear before it is removed, within the boundaries of the law regarding protected species. If this is not possible, then they should be returned to the water as soon as possible.

Dealing with entanglement

Natural features and living organisms

If an item of ALDFG is entangled in a natural feature such as rocks, reefs or other living organisms such as kelp, then the ALDFG should be cut free of the feature using suitable cutting implements. When cutting the ALDFG clear, forces applied to the features should be kept to a minimum to avoid damage.

During the lift, great care should be taken to ensure that no damage is done to the feature. This is achieved by adding sufficient gas to apply tension to the lifting bag straps, and a small amount of the ALDFG object, but not so much gas as to result in damage or disturbance to the natural feature or living organisms.

Whilst working on the ALDFG it is important to maintain good buoyancy control and to be aware of fins and dangling equipment that could inadvertently cause damage.

Wrecks

If an item of ALDFG is entangled in the wreck of a ship, aircraft or other manmade structure, then the ALDFG should be cut free of the structure using suitable cutting implements. It is important to remember that all military aircraft are protected places under the Protection of Military Remains act 1986.

When cutting the ALDFG clear, no force should be applied to the wreck to avoid damage. It should be possible to do this by following the best practice principles of a diving lift (i.e. using a small amount of lifting bag inflation to gain initial tension, cutting the item at the base of where it is snagged and using additional lifting capacity to remove the item).

When conducting removals, great care should be taken to ensure that no damage occurs. Buried gear should simply be cut free; digging of the seabed to identify the source of the gear is not recommended, as sediment disturbance

can impair visibility.

No part of the wreck or structure itself should be removed to the surface. It is not necessary to notify the receiver of wreck about the removal of ALDFG from a wreck unless the removal includes ALDFG from the wreck of a fishing vessel. In such instances details of the materials removed should be reported to the Receiver of Wreck within 28 days.

Picking and lifting

ALDFG that can be picked up by hand should be placed in a small bag or container and carried to the surface.

Care should be taken to ensure that any hooks or sharp edges do not injure the divers. Sturdy gloves are recommended for this type of work. It is recommended that an up to date first aid kit is stored on the support vessel.

For hand-picking, it is recommended that the total weight of the bag containing recovered items should not exceed 5kg when full. Additional weight can affect buoyancy and cause a hazard to the diver. The bag should never be attached to the diver by any clips or lanyards. This technique is typically restricted to small objects, monofilament lines and hooks and similar objects.

Suitable containers may be carried by the diver, where they do not pose entanglement hazards and will only contain lightweight litter and ALDFG.

Collections of smaller amounts of ALDFG that in total weigh in excess of 5kg should be placed in larger bags or containers and removed with the assistance of a lifting bag.

Objects can be cut into pieces for easier handling.

This technique is well suited to ropes and larger pieces of netting. The container or bag keeps the objects constrained into a smaller volume, reducing the risk of entanglement with divers when the gear is lifted to the surface.

Larger items

Large objects that cannot be moved into bags or containers should be removed directly using lifting bags.

The process of removing the ALDFG should follow the following sequence:

1. Cut obvious elements of ALDFG that are attached to seabed features.
2. Attach lifting bag(s) to appropriate points on the ALDFG using karabiners, slings or ropes.
3. Gently inflate the lifting bag to tension the lifting points.
4. Review the entanglement status of the object, and cut any more attachments.
5. Repeat steps 3 and 4 until the object is free of the seabed.
6. Clear the dive team from the immediate area.

7. Add gas incrementally to the lifting bag(s) until the object becomes just positively buoyant
8. Observe the object rising to the surface for as long as the visibility allows.

Disposal of Waste

Any ALDFG removed from the sea and recovered to land should be disposed of in a responsible manner. Planning for this phase of the work should be completed before any removal occurs.

Recycling of ALDFG is the preferred disposal route, but this is not always possible or practical. It should however be investigated for all projects. The project manager should consult with the relevant authorities regarding disposal.

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