

Press release: Environmental performance of business continues to improve report shows

The environmental performance of regulated businesses across the country continues to improve, according to latest figures released from the Environment Agency (EA) today.

Press release: Cambridgeshire man sentenced to 8 months for illegal waste sites

On Tuesday 09 October 2018 Michael Newsome was sentenced to a total of 8 months imprisonment (4 months consecutive for each offence) suspended for 24 months. Newsome was also ordered to carry out 240 hours of unpaid work for the benefit of the community, ordered to pay a total of £12,131.90 in compensation to the landowners where he abandoned tyres and a contribution of £1,000 costs after pleading guilty to breaking the law in Peterborough and Whittlesey.

Peterborough Magistrates heard that Newsome, aged 28, of Overwater Close, Stukeley Meadows, Huntingdon, traded as Cambridgeshire Rubber Recycling Ltd and even advertised on Facebook as being licensed.

First he set up in Peterborough having registered an exemption that allowed him a limited number of tyres on site to be stored under set conditions for safety.

Mr Gurjit Bdesha, prosecuting for the Environment Agency, told the court that Newsome leased the Dickens Street site from an 82-year-old man to shred tyres, which he failed to do. Instead, he took well in excess of the number of tyres allowed under the exemption and stored them in a way that had no fire breaks.

Mr Bdesha said:

This was especially important as the site is in the middle of a residential area with the nearest home being 13 metres away. Tyres can combust and fire can easily spread.

Despite being asked to move the tyres, Newsome made no effort to clear the site and the landlord ejected him. He later broke into a lockaway on site, damaging the door, to take back equipment belonging to him. He left behind 87 tonnes of tyres (9,050) costing the landlord £8,121.

After being evicted Newsome took on a site at Lazy Acre Farm, Whittlesey and carried on business, failing to even register an exemption.

The landlord became worried at the number of tyres on site with no equipment to process them and asked him to leave.

Mr Bdesha continued:

The landlord was so desperate for Newsome to leave the site and clear the tyres that he was prepared to waive rent arrears of £3,500 if he removed them. The tyres were left there.

At that site Newsome abandoned 117 tonnes of tyres (14,040).

Mr Bdesha told the court that the site was listed as a High Risk Fire site as the tyres were stored within 70 metres of the mainline railway from Birmingham to Stansted Airport. If there had been a fire due to arson or self-combustion then the impact could have resulted in the closure of the railway and caused significant disruption to the national railway transport network.

He said there had been 2 failed attempts to arrest Newsome, 2 failed attempts to get him to voluntarily attend interview with Environment Agency investigators and since then no communication from him.

After the hearing Enforcement Team Leader Phil Henderson said:

We require operators have an approved fire prevention plan in place before a permit is issued. The Environment Agency seeks to work with operators to ensure compliance with the relevant environmental regulations.

However, as in this case, where those operators fail to take this advice we are compelled to take action, particularly in cases where the storage of waste may risk local residents or our transport infrastructure.'

Newsome pleaded guilty to:

On or before 3 November 2015 on land known as 61 Dickens Street, Peterborough, PE1 5ER, you operated a regulated facility, namely a tyre treatment and disposal facility, without being authorised by an environmental permit granted under Regulation 12 of the Environmental Permitted (England and Wales) Regulations 2010.

Contrary to Regulation 12 and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2010.

Between 1 December 2015 and 31 December 2016 on land known as Lazy Acre Farm, Whittlesey, Peterborough PE7 1GR, you operated a regulated facility, namely a tyre treatment and disposal facility, without being authorised by an environmental permit granted under Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2010. Contrary to Regulation 12 and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2010.

Press release: Cambridgeshire man sentenced to 8 months for illegal waste sites

Huntingdon man ran two illegal waste tyre sites in Cambridgeshire, both of which he abandoned.

Press release: Yorkshire waste criminals ordered to pay back cash

Two men have been handed a suspended prison sentence and ordered to pay back hundreds of thousands of pounds of money they illegally earned after a proceeds of crime hearing at Sheffield Crown Court on Tuesday 9 October.

Andrew Lawrence Green, 54, from Shafton, Barnsley, and Dean Ryder, 54, of Top Fold, Doncaster, were also given a Community Order with an unpaid work requirement of 200 hours following their conviction for three separate offences at Barnsley Magistrates' Court in December 2014 which were upheld after an appeal hearing at Sheffield Crown Court in March 2016.

The defendants were back at Sheffield Crown Court again on Tuesday 9 October, in a case brought by the Environment Agency under the Proceeds of Crime Act, following a financial investigation into the lawful costs they avoided from their crimes.

It followed a multi-day trial in the Magistrates' Court which concluded in December 2016, a two day Crown Court appeal which concluded in March 2016, a Judicial Review hearing which took place in December 2016 and confiscation proceedings that took place in 2017 which concluded on Tuesday.

During the Magistrates trial and Crown Court appeal, the court heard how Green and Ryder's company, Grantscope Ltd, which went into liquidation on 12 September 2012, failed to comply with a Regulation 36 enforcement notice served by the Environment Agency in February 2012 after the illegal deposit of waste outside of its Goodwin's Yard site in Barnsley.

Continued to operate in contravention of law

The company's environmental permit, which is a necessary requirement for the operation of a waste facility and sets out the conditions by which a company must comply in order to protect health and the environment, was subsequently revoked, effectively ending its ability to operate at the site. Despite this, the defendants, who jointly owned Goodwin's Yard, continued waste operations in contravention of the law including processing waste into trommel fines which were then bagged up to be sold as topsoil.

The court also heard that the defendants accumulated a waste pile of nearly 13,000 tonnes before abandoning the waste.

Prior to the proceeds of crime case, the defendants were found guilty of the separate offences of depositing waste outside a permitted area in December 2011; operating a regulated facility without a permit between 20 November 2012 and May 2013; and failing to comply with steps 2-7 of a regulation 36 notice dated 7 February 2012.

Mr Recorder Preston remarked whilst sentencing that the he found the offending was, "Deliberate, flagrant and persistent by you both" and that he only suspended the sentence given the length of the proceedings, their ages and for the sake of their families.

Green and Ryder's criminal benefit from operating a regulated facility without a permit was found to be £276,000 in equal share. Ryder has sufficient assets so must repay £138,002 within three months or face a default prison sentence. Green has assets less than that figure, but must repay £121,422.72 within three months or face a default prison sentence.

Mitigating for Mr Ryder Ms Penchon said: "The age of the offending should be borne in mind. This waste was dumped on a waste transfer site. There has been no environmental harm." She explained the court process had taken its toll on Mr Ryder.

Mitigating for Mr Green, Mr Copeland explained that skips containing waste had only been deposited unlawfully after a fire at the site. The cause of the fire was arson. There had also been no environmental harm.

Waste crime does not pay

The Environment Agency's Caron Osborne said:

Between them, Green and Ryder have been ordered to pay more than £250,000, which is a significant confiscation order that sends out

a clear message to others who flout the law that waste crime does not pay.

Not only do we use environmental law to prosecute those who abuse the environment but we also use the Proceeds of Crime legislation to ensure that criminals are deprived of the benefits of their illegal activity.

Waste crime undermines legitimate businesses and can have significant detrimental impacts on communities and the environment. In this case, the two men abandoned around 13,000 tonnes of waste material.

This hearing demonstrates how seriously we take waste crime and we'll continue to take action against those operating outside of the law and the regulations.

Press release: Yorkshire waste criminals ordered to pay back cash

Two Barnsley men have been handed suspended prison sentences and ordered to pay back cash after an Environment Agency investigation.