

Press release: Wolverhampton man fined £1,000 for burying illegal waste

Wolverhampton Crown Court fined Ivor David John Powell (aged 65) £1,000 and ordered him to pay £4,000 in costs, along with a £100 victim surcharge, in addition to being ordered to clear the site within 3 years.

The charges were brought by the Environment Agency contrary to Regulations 12(1)(a) and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2010.

As part of routine inspections Environment Officers visited the site on 11 November 2015, and observed a tractor operating on the land that appeared to be levelling the ground. The officers also saw large heaps of shredded mixed waste and noticed the land had been landscaped to incorporate the waste material, which Mr Powell confirmed had been coming onto the site for 4 months.

Environment Agency officers visited the site again in March 2016 and found buried compressed waste that had been imported on to the site.

The court heard that Mr Powell had avoided paying charges to dispose of the 5,335 tonnes of waste. If the landowner had taken the waste to an appropriate waste site or landfill, approximately £533, 500 of charges would have been incurred.

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 communities and undermine those operating legally. This case sends out a clear message that we will not hesitate to take action against anyone that fails to comply.

In mitigation on behalf of his client, Mr Powell's solicitor stated that Mr Powell had been naïve and doesn't have any previous convictions and acknowledged he had avoided paying disposal costs in relation to the waste.

Press release: Significant fine for

water company following hazardous chemical leak

On 19 April 2018, at Derby Crown Court, sitting in Nottingham, Severn Trent Water Limited was fined £350,000, ordered to pay Environment Agency costs of £68,003, as well as a victim surcharge of £120.

An estimated 30,000 dead fish and 5km of damaged ecology along the River Amber led to proceedings brought against Severn Trent Water Limited following a pollution incident.

On 1 November 2015, the Environment Agency received reports of several hundred dead fish in the River Amber in Derbyshire and, following a search of the area, and discussions with Severn Trent Water employees, the source of the pollution was found to be a release of sodium hydroxide from the Ogston Water Treatment works, operated by Severn Trent Water, into the river.

Severn Trent Water identified that a leak within a chamber at the Treatment works had led to the contents becoming contaminated with sodium hydroxide, which was then washed through the road gully into the River Amber via an outfall pipe.

The pollution had a significant negative impact on the fish and invertebrate populations within the River Amber. The Environment Agency has been monitoring the natural recovery of the river ecology over the last two years. Monitoring has shown that whilst there has been some improvements, something resembling a full recovery is not expected until the summer of this year.

In passing sentence, His Honour Judge Smith found that:

It beggars belief that a company of the size and expertise of Severn Trent Water had no policy whatsoever in respect of potential incidents arising in connection with their dosing chamber, either at this treatment works or indeed at any others throughout the UK. To have no policy whatsoever when dangerous chemicals could have leaked out in any number of ways is highly negligent. The size and success of Severn Trent makes it even more astonishing.

In mitigation Severn Trent expressed regret and apologises for the incident. The company co-operated fully with the investigation and contributed £228,000 to the Derbyshire Wildlife Trust.

Speaking after the case, an Environment Agency officer involved with the investigation said:

This is a significant fine imposed on Severn Trent Water Limited for causing pollution. I hope it sends a strong message that it is

far more cost effective to avoid these incidents, as we will continue to take companies and individuals to task where they ignore their responsibilities.

Pollution causes damage to the environment and river ecology, in this case sodium hydroxide with a concentration of 20% amounts to a hazardous chemical and the leak affected 5km of the River Amber and killed approximately 30,000 fish and damaged other wildlife.

We encourage anyone who sees suspected pollution to call our incident hotline 0800 90 80 70 so we can act to reduce damage, investigate and in serious cases take enforcement action.

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](#)

Press release: Northumberland farmer fined for failing to fix pollution risk

A Northumberland farmer who was fined £19,000 last year for twice polluting a protected watercourse has been ordered to pay a further £2,854.56 in fines and costs for failing to fix the source of the pollution.

John Laing, 54, of New Heaton Farm in Cornhill-on-Tweed, Northumberland, appeared at Berwick upon Tweed Magistrates' Court on 5 April 2018 having previously admitted contempt of court.

The court heard that in January 2017 Laing was ordered by Newcastle Magistrates' Court to repair the storage unit by 30 June 2017. Without remedial works, there remains a continued risk of silage leaking from a silo storage unit into a tributary that flows into the River Till.

The order had required Laing to carry out specific works to capture and prevent any effluent from escaping the silo, and provide written certification from a chartered engineer that the works had been completed to the required standards. Environment Agency officers made several visits to the farm before and after the deadline to check whether the works had been completed.

While Laing had enlisted the services of a builder, work had not started before the June 2017 deadline. Subsequent visits by Environment Agency

officers in August and September 2017 revealed that some work had begun but not as agreed and to a poor standard.

In mitigation, Laing said he had relied on the assurances of a builder as to the quality of the remedial work and was no longer using the storage facility himself.

Neil Paisley, Senior Agriculture Officer at the Environment Agency, said:

John Laing has repeatedly shown a disregard for the law and a disregard for the environment since an initial pollution incident in 2014.

Pollution of any watercourse is a serious offence because of the devastating impact it can have on fish, wildlife and ecosystems. We will take action against anyone who fails to act in accordance with environmental laws and fails to comply with orders to ensure pollution is prevented.

If anyone spots a potential pollution issue they can report it to the Environment Agency's free 24-hour incident hotline on 0800 80 70 60.