

# Press release: Waste company fined for permit breaches

A north east waste management company has been fined thousands of pounds for breaching environmental laws leading to a fly infestation which blighted the local community.

Niramax Group Limited appeared at Teesside Crown Court on Monday 15 January where it pleaded guilty to breaching its environmental permit, leading to a fly infestation at its site at Monument Park, Washington.

It also pleaded guilty to failing to comply with an enforcement notice by not removing waste as required at its site at Tofts Farm in Hartlepool after large amounts of waste tyres created a potential fire hazard.

The prosecution follows an investigation by the Environment Agency. They were fined a total of £16,000 and ordered to pay costs of £10,000.



Flies on the waste at the Washington site

## **Fly infestation**

Lee Fish, prosecuting for the Environment Agency, told the court that at the Washington site a pre-arranged audit took place on 2 April 2015 where Environment Agency officers discovered a fly infestation.

Two of the bay doors to the waste shed were not operating satisfactorily which caused problems with pest control measures. Waste was not sufficiently divided between the four bays.

A second visit on 9 April saw the flies still present both outside and inside the waste storage shed. Efforts had been made to empty the waste from the bays. A visit on 12 April saw the site and issues had been cleared.

During the investigation Environment Agency officers spoke with neighbouring businesses and residents which confirmed the impact of the infestation.

## **Excessive tyre storage**

At Hartlepool, where Niramax treats waste tyres, the Environment Agency originally attended the site in June 2015 after receiving complaints about dust.

On 28 July an Action Plan was signed by the operator to resolve a number of permit breaches, which included a dust management plan. And the large amounts of waste tyres on site were to be stored within bays in accordance with permit conditions and fire prevention guidance.

The operator agreed to return the site to compliance by 30 November 2015.

In February 2016, Environment Agency officers attended the site to assess its compliance with its permit. It was noted the site was still operating as it was in June the previous year and the bays were still buried under piles of waste tyres.

An enforcement notice was served on the company to clear the site of tyres by 14 June, 2016. On 15 June the Environment Agency visited the site, and while the amount of shredded tyre waste had reduced permit breaches were still evident – waste was not contained in the bays and no fire breaks were noted.

The bays were capable of storing 1490.4m<sup>3</sup> and the contents were measured to be 2461.71m<sup>3</sup>.





Piles of waste tyres at the Hartlepool site.

### **‘Negative impact on local areas’**

The company told the court that they had been caught out by an unseasonably sharp rise in temperature. This meant their fly suppression methods proved inadequate.

At the tyre site they suffered when a fluctuation in the market made it more difficult to remove the shredded tyres from the site. They said they had done everything in their power to comply with the enforcement notice.

Rachael Caldwell, Enforcement Team Leader at the Environment Agency in the north east, said:

Environmental laws exist for a reason – to protect the environment and communities – so it is vital that waste operators meet the conditions of their permits.

In both of these cases there was a negative impact on the local areas, which is extremely unpleasant and unacceptable and not something communities should have to endure.

We always treat operators fairly and ensure they understand the potential impact their activities can have, and work together with them to help bring sites into compliance.

At Hartlepool we gave Niramax ample opportunity to bring their site

back into compliance, and at Washington we gave them five days to act on what was a serious fly infestation.

But they repeatedly showed little regard for the detrimental impact on their neighbours and the environment. And during our investigation they even described our actions – to protect the environment and the community – as ‘nit picking’.

I hope this case reassures our communities that we will do everything possible to ensure operators comply with their permit, and take enforcement action when they don’t.

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## **Press release: Appointments to the Board of the Environment Agency**

Secretary of State for Environment, Food and Rural Affairs, Michael Gove, has appointed Judith Batchelar OBE, Robert Gould, John Lelliott OBE and Caroline Mason CBE for first terms to the Board of the Environment Agency. He has also reappointed Lynne Frostick and Gill Weeks OBE for second terms to the Board.

Robert Gould’s and John Lelliott’s appointments will run from 1 February 2018 until 31 January 2021. Judith Batchelar and Caroline Mason’s appointments will run from 1 April 2018 until 31 March 2021. Gill Weeks and Lynne Frostick’s reappointments run from 8 September 2017 until 7 September 2020 and 6 March 2018 until 15 March 2021 respectively.

Secretary of State Michael Gove said:

I am delighted to welcome John, Robert, Caroline and Judith. They will bring a strong and broad mix of skills and experience to the Environment Agency.

I am also thrilled that Gill and Lynne will be continuing to help us with meeting the challenges ahead.

Emma Howard Boyd, Chair of the Environment Agency said:

I am looking forward to working with John, Robert, Caroline and Judith on some of the greatest environmental challenges of our time. It was a highly competitive selection process and they will each bring a broad range of experience and expertise to the Environment Agency.

All appointments to the Environment Agency Board are made on merit and political activity plays no part in the selection process. The appointments comply with the Ministerial Governance Code on Public Appointments.

Board members provide non-executive leadership challenge and support to the Environment Agency's executive through regular Board meetings, committees and groups. They also undertake individual lead roles on relevant issues and with local operational teams.

The Environment Agency is a Non-Departmental Public Body set up under the Environment Act 1995 to take an integrated approach to environmental protection and enhancement in England. It has major responsibilities in flood management, water resources and quality, climate change, land quality, chemicals, pollution prevention and control, waste, conservation and biodiversity, fisheries conservation, air quality and navigation.

There is a requirement for appointees' political activity (if significant) to be declared. All the appointees have confirmed that they have not undertaken any significant political activity during the past 5 years apart from Robert Gould, who is a member of West Dorset District Council and a former leader of both Dorset County Council and West Dorset District Council.

Environment Agency Board members receive remuneration of £350 per day. Judith Batchelar, Robert Gould, John Lelliott and Caroline Mason will each receive £16,800 per year based on a time commitment of four days per month. Gill Weeks will receive £21,000 per year based on a time commitment of five days per month. Lynne Frostick will receive £25,200 per year based on a time commitment of six days per month.

## **Biographical details**

### **Judith Batchelar OBE**

Judith Batchelar is Director of Sainsbury's Brand, Corporate Responsibility and Public Affairs at J Sainsbury plc, where she has worked since 2004. She previously worked for Safeway, Marks and Spencer, Mars Confectionary and Bass plc. Judith is also a Co-Chair of the Agri-food Technology Leadership Council, an Industrial Governor of the British Nutrition Foundation and an Ambassador for the Woodland Trust. Judith was appointed OBE in 2015 for services to farming and the food industry.

### **Lynne Frostick**

Professor Lynne Frostick is both a chartered geologist and a geographer with an academic background in environmental science. She was Professor of Physical Geography at Hull University from 1996 to 2014 and is now Professor Emerita. She has published over 100 papers and books on environmental physics, modelling and hydraulic engineering. She was the first female Honorary Secretary (1988 – 1991) and second female President (2008-10) of the Geological Society of London. She was a member of the North East Regional

Environmental Protection Advisory Committee (1997 – 2006) and a leading member of the 2007 independent Hull Flood Review Group. In 2009, she was named both Yorkshire's environmental champion and Woman of Outstanding Achievement for leadership in Science, Technology, Engineering and Mathematics (STEM). She chaired the Government's Expert Group for Women in STEM for 8 years and sat on the Athena Swan committee based in the Royal Society. She has been awarded an honorary DSc by both Royal Holloway University, London and the University of Hull. Lynne joined the Board of the Environment Agency in 2015.

### **Robert Gould**

Robert Gould was Leader of Dorset County Council from 2014 to 2017 and a member from 2009 to 2017. He has been a member of West Dorset District Council since 2004 and was Leader from 2004 to 2014. Robert was a member of the Local Government Association's Improvement and Innovation Board from 2015 to 2017. He previously managed the family farm after working in industry and property management.

### **John Lelliott OBE**

John Lelliott retired as Chief Financial Officer of the Crown Estate in 2016. He is currently a Board Member of the Covent Garden Market Authority where he chairs the Audit and Risk Committee. He is also Chair of the Natural Capital Coalition and Non-Executive Director of the Royal Bournemouth and Christchurch Hospital Foundation Trust where he chairs the finance committee and is a member of the audit committee. John was appointed OBE in 2017 for services to the Crown Estate and the voluntary sector.

### **Caroline Mason CBE**

Caroline Mason is Chief Executive of the Esmée Fairbairn Foundation, one of the UK's largest independent grant-making foundations. She was previously Chief Operating Officer of Big Society Capital and Chief Operating Officer of Charity Bank. Before that she was co-founder and COO of Investing for Good, an enterprise offering social investment advice. Caroline is also a Board Member of the European Venture Philanthropy Association. Caroline was appointed CBE in 2013 for services to social investment.

### **Gill Weeks OBE**

Gill Weeks is an industry expert within the field of waste and resource management. She is a Fellow of the Chartered Institution of Wastes Management and a Chartered Environmentalist. Gill joined the Board of the Environment Agency in 2014. She currently chairs the Environment and Business Committee and is a member of the Audit and Risk Committee. Gill is also the Board lead on waste and industrial processes. From 2006 to 2013 Gill was Regulatory Affairs Director at Veolia Environmental Services and was acting Policy Director at Environmental Services Association 2010-11. Gill was appointed OBE in 2011 for services to the waste management sector.

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## Press release: Gedling MP looks at Nottingham's flood defences

Gedling Member of Parliament Vernon Coaker has visited the Holme Sluices at Colwick, Nottinghamshire to find out more about the Trent flood defences and the work of the Environment Agency.

The MP met with EA officials, led by Louise Cresswell, Area Director for the East Midlands, to see how the sluices work in protecting properties from flooding and how they maintain levels in the River Trent during times of low flow.

He also discussed the general work of the EA including the ambitious plan to improve fish passage for all species in the lower River Trent.

The EA are seeking support for the Trent Gateway Project which aims to open up 8 barriers on the river which presently block fish migration.

At present, the EA has funded the design of a possible fish pass at Colwick sluices and are working in conjunction with Nottingham City Council on a proposed Heritage Lottery Fund bid to build a visitor hub at Colwick Country Park.

Louise Cresswell, Area Director, East Midlands, said:

The visit of one of our local MPs was a great opportunity to talk about how the EA works to improve the environment for everybody.

We took time to show how the sluices work and to explain the flood defences for the area generally which protect a huge number of people and properties, including many in his own constituency.

The Trent Gateway Project is an ambitious plan to improve fish passage on the River Trent. Our aspiration is to open up all of those 8 weirs for passes which will increase the fish populations both coarse and salmon.

Vernon Coaker, Member of Parliament for Gedling, said:

It was a fascinating visit and gave me a better understanding of the River Trent and how it works.

The Environment Agency are doing some great work and it is important that we continue to work together for the good of the local area.

I feel very passionately about protecting our local environment and I was pleased to hear all about the Trent Gateway Project which is an ambitious project but one that will benefit everybody by helping to improve the environment.

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## **Press release: Environment Agency launches consultation to give communities more say in how rivers are managed**

The Environment Agency is considering proposals to transfer 'flood risk management activities' on a number of stretches of watercourses to internal drainage boards (IDBs), lead local flood authorities (LLFAs) and district councils. This will only happen where the watercourses have a low level of flood risk, are not associated with major rivers or major city centres and where the local community supports the change.

A transfer would mean that IDBs, LLFAs and district councils can take on more responsibility for their local flood risk, where appropriate – by carrying out activities such as maintenance or giving permission to carry out works.

The Environment Agency has been working with partners to consider proposals to 're-designate' sections of watercourses in a number of locations. The watercourses will be re-designated from what is currently known as a 'main river' to an 'ordinary watercourse' – a change referred to as 'de-maining'.

Rachael Hill, Flood and Coastal Risk Manager for the Environment Agency, said:

The project aims to bring more choice to communities and local organisations in how watercourses are managed and maintained. We want to strengthen local flood risk management and decision-making by ensuring the right people are managing the right watercourses.

We want to hear from anyone who is affected by, or interested in, the proposals. This consultation explains how the proposed sections of watercourse are currently managed and funded and provides details on future management and funding if de-maining goes ahead.

The project is exploring the potential to re-designate several sections of



selected main rivers as ordinary watercourses in: various rivers in Suffolk (East Anglia), South Forty Foot Catchment in Lincolnshire and Stour Marshes in Kent. But if there is support for the approach it could pave the way for further de-maining in England.

For the Environment Agency, the project will also ensure resources are prioritised where the greatest impact on reducing flood risk can be achieved.

Innes Thomson Chief Executive of ADA (Association of Drainage Authorities) added:

Despite their low flood risk to people and homes, the good management of these rivers still plays a major part in peoples' lives, and the environmental and economic wellbeing of the communities through which they flow.

It is very important for existing and potential new river managers to know what the views of local people are so we can make the right decisions together for the best future of these rivers.

The public will be able to view and give feedback between midday 15 January 2018 and midday 12 February 2018. There will be an option to view information and give feedback on each of the proposals or the de-maining project as a whole by accessing the [consultation link](#).

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## **Press release: New steps to tackle illegal waste and fly-tipping announced**

New powers to tackle the serious problem of waste crime will be granted, and further action opened for consultation in a crack-down on illegal sites, Environment Minister Therese Coffey announced today following the recent launch of the 25 Year Environment Plan.

Waste crime cost the English economy more than £600m in 2015, including lost landfill tax revenues and clean-up costs, and creates severe problems for people who live or work nearby with odour, dust, litter, vermin, fly infestations, pollution and fires blighting lives. Waste criminals also undercut genuine businesses who dispose of waste responsibly.

New powers will therefore be introduced for the Environment Agency (EA) to lock the gates or block access to problem waste sites to prevent thousands of

tonnes of waste illegally building up. The powers will also enable the EA to force operators to clear all the waste at a problem waste site, not just the illegal waste.

The government has also launched [a new consultation to tackle crime and poor performance in the waste sector](#). Proposals include raising the bar required to hold EA waste permits, and putting a stop to criminals hiding their illegal activities by requiring them to register low-risk waste operations which are currently exempt from the need to hold a permit.

The consultation proposes improving awareness amongst householders, so people can check on the EA website to see if the recipient of their waste is licensed to take their waste, or their duty to pass waste to legitimate carriers.

It also suggests providing local authorities with the option of fining those whose waste ends up fly-tipped or illegally dumped rather than having to pursue them through the courts. Latest statistics show that some of the worst hit areas include London which saw over 360,000 fly-tipping incidents last year and the North West of England which saw 128,000 incidents in 2016/17.

Environment Minister Therese Coffey said:

Waste crime and fly-tipping blight our communities and spoil our countryside, and we need determined action to tackle it.

These new powers for the Environment Agency will curb the rise of waste sites that continue to operate outside the law.

But we must all take responsibility for our waste to make sure it does not end up in the hands of criminals who will wilfully dump it. Our new consultation looks more widely at the waste sector and we are keen to hear from industry and the public how we can improve performance, tackle illegality and protect our precious environment.

More than 850 new illegal waste sites were discovered by the EA in 2016-17. While an average of two illegal waste sites are shut down every day, they continue to create severe problems for local communities and business as well as posing a risk to key national infrastructure.

In 2013, for example, a fire at a waste site in Stockport resulted in the closure of the M60 motorway and three weeks of disruption to traffic, residents and businesses. By empowering the EA further, these measures will help prevent such disruption.

Household waste is also a problem and makes up nearly two thirds of fly-

tipped waste. Currently local authorities can only prosecute householders in court but a new fixed penalty notice would be less costly to enforce for local authorities, and more proportionate for householders.

The government is clear however that new fixed penalty notices should not be abused simply as a means of raising money. Guidance on how the fines should be applied will therefore be issued to councils.

Emma Howard Boyd, Chair of the Environment Agency, said:

We take tough action against anyone involved in illegal waste activity and last year, the Environment Agency >closed down two illegal waste sites every day. We welcome these new powers, which will enable our teams to block access to problem sites, preventing illegal waste building up and becoming even more serious.

This will allow us to take faster action against criminals and will make a real difference to communities, but >everyone has a role to play. We all need to check our waste is going to the right place and is handled by the right people.

The new powers for the EA to tackle problem waste sites will be introduced by spring 2018, subject to parliamentary approval. This follows a public consultation in which an overwhelming majority (90%) of respondents were in favour of allowing regulators to take physical steps, such as locking the gates to an illegal waste site, to prevent operators from accepting more illegally dumped waste and enabling the EA to require all the waste to be removed.

#### **Notes:**

- [The responses to the 2015 public consultation on increasing EAs powers is available online](#)
- Current rules are already clear that action against those who litter the streets and cause harm to their local communities must be fair and proportionate. We do not expect anti-social behaviour legislation, for example, to be used as a backdoor fine to penalise a householder for not closing a bin lid nor for putting a bin out for collection a few hours too early. In addition, the Government will work with WRAP and local authorities to review current guidance to make clear what can and cannot be charged for waste at HWRCs (including in respect of DIY waste) and the Government believes it should be free for residents to dispose of DIY household at a civil amenity site.
- The cost of waste crime to the English economy being over £600m in 2015

is from the Environmental Services Association 2017 report 'Rethinking waste crime'

- Householders can check on the EA website that a waste carrier is licensed to take their waste.
- [The government's 25 Year Environment Plan is available to read online](#)