

Press release: Jail and suspended sentences for permit breaches that led to fire

Corporate officers working for Nottinghamshire Recycling Limited (NRL) and 2 who worked for Park Farming Limited (PFL) have been sentenced today (Monday 30 October 2017) in Sheffield Crown Court after breaching environmental permits at 3 sites in Worksop, Nottinghamshire, and Kiveton and South Anston in South Yorkshire.

The environmental offences committed helped maximise the companies' financial gain at the expense of the environment, and led to a series of fires on 1 of NRL's sites at Shireoaks Road in Worksop in 2013 and 2014.

Repeat offenders

All 3 sites were operated illegally despite the fact that NRL had previously been convicted in 2011 for offences it had committed at Shireoaks Road.

Kevin Malcom Burgess of Manton Forest Farm, Worksop, Warren Richard Steele of Drury Lane, Doncaster, David Vincent Berry of Orchard Court, South Normanton, Edward Charles Freeman of Stephen Hill, Sheffield, Martin Crowther of Chapel Rise, Anston, Sheffield and Peter Charles Sanderson of Peak Close, Bramley, Rotherham, were sentenced on Monday 30 October 2017 at Sheffield Crown Court.

Defendants linked to NRL continued to act illegally after the company had previously been convicted in 2011. Documents discovered during the course of the Environment Agency's investigation clearly demonstrated that company officers were fully aware that the sites were being operated illegally.

Risk to human health

Prosecuting on behalf of the Environment Agency, Chris Badger told the court that NRL and PFL repeatedly operated outside the terms of their environmental permits for financial gain. He added that NRL officers created significant risk to the environment and harm to human health. Among other permit breaches, waste was stored in huge quantities outside of the businesses' permitted areas. Waste was blended at both the Worksop and Kiveton site in an attempt to avoid higher rates of landfill tax.

The company paid no heed to repeated warnings about the illegal storage of waste at all 3 sites, and the fire risks at Worksop. The defendants' conduct resulted in 5 fires at NRL's Worksop site during 2013 and 2014.

Large stockpiles of various waste deposited illegally by the companies at the 3 sites still remain and continue to have an environmental impact. Both NRL and PFL entered administration during the period of the investigation. They

have since gone into liquidation.

‘Deliberate’, ‘negligent’ and ‘reckless’

His Honour Judge Robert Moore said that the conduct of four of the companies’ directors in breaking the law had been deliberate, while a fifth had acted negligently. The actions of a site manager were judged to have been reckless in aiding and abetting the offending that took place at Kiveton and South Anston.

In mitigation, the judge noted that all defendants had pleaded guilty to the charges that they faced and applied an appropriate reduction to their sentences. He also commented that the defendants had not made personal financial gain as a result of the offences. All 6 defendants were of previous good character.

The sentences imposed by the judge were as follows:

1. Kevin Burgess – 21 months’ immediate custodial sentence. Disqualification from being a director for 7 years.
2. Edward Freeman – 8 months’ custody suspended for 2 years with a requirement to perform 150 hours of unpaid work. Contribution towards prosecution costs of £5,000.
3. Warren Steele – 6 months’ custody suspended for 2 years with a requirement to perform 100 hours of unpaid work. Contribution towards prosecution costs of £5,000.
4. Peter Sanderson – 8 months’ custody suspended for 2 years with a requirement to perform 150 hours of unpaid work. Contribution towards prosecution costs of £5,000.
5. Martin Crowther – 12-month community order with a requirement to perform 80 hours of unpaid work. Contribution towards prosecution costs of £1,500.
6. David Berry – 12-month community order with a requirement to perform 100 hours of unpaid work. Contribution towards prosecution costs of £5,000.

Commenting after the hearing, Environment Agency Waste Regulatory Specialist Iain Regan said:

This was a large and complex investigation, and one in which Nottinghamshire Recycling Limited at various stages deliberately attempted to mislead us as the regulator. Companies like NRL distort the waste market by unfairly undercutting legitimate waste businesses, making it difficult for compliant firms to compete. This causes erosion of the legal waste sector and standards, resulting in an industry which is vulnerable to domination by illegal operators who have no concern for protecting the public or the environment.

We hope this case assures the legitimate waste industry and the public that we will investigate businesses who deliberately or recklessly flout the law, and that the sentences passed today send

a clear message that behaviour as exhibited by NRL, PFL and their management is unacceptable. □

The EA has brought this case to a successful outcome by dedicated hard work and professionalism.

Offences

1. Operating a regulated facility except under and in accordance with an environmental permit, contrary to Regulations 38(1)(a) and 41(1) of the Environmental Permitting (England and Wales) Regulations 2010 – Kevin Burgess, Warren Steele, David Berry, Edward Freeman and Peter Sanderson. Workop offence.
2. Keeping controlled waste in a manner likely to cause pollution of the environment or harm to human health, contrary to Sections 33(1)(c), 33(6) and 157 of the Environmental Protection Act 1990 – Kevin Burgess, Warren Steele, David Berry and Edward Freeman. Workop offence.
3. Operating a regulated facility except under and in accordance with an environmental permit, contrary to Regulations 38(1)(a) and 41(1) of the Environmental Permitting (England and Wales) Regulations 2010 – Kevin Burgess, Warren Steele, David Berry and Edward Freeman. Martin Crowther, at the same place and time, did aid, abet, counsel and procure those persons to commit the said offence. Kiveton offence.
4. Operating a regulated facility except under and in accordance with an environmental permit, contrary to Regulations 38(1)(a) and 41(1) of the Environmental Permitting (England and Wales) Regulations 2010 – Kevin Burgess. Martin Crowther, at the same place and time, did aid abet, counsel and procure Kevin Burgess to commit the said offence. South Anston offence.

[Press release: £27 million flood scheme opens in Blackpool](#)

A £27 million scheme to reduce flood risk to 4,800 properties in Blackpool was officially opened today (30 October) by Blackpool Council Cabinet Member for Environmental Services, Councillor Fred Jackson and the Chair of the Environment Agency Emma Howard Boyd.

The new defence at Anchorsholme safeguards Blackpool's iconic seafront tramway, which is enjoyed by the thousands of visitors each year who flock to the quintessential British seaside resort. It also helps protect vital infrastructure and a major pumping station.

A kilometre of concrete sea wall has been replaced, maintaining access to the beach, and a new promenade attracts residents and visitors with views over the Irish Sea. The promenade also links the seafront to the nearby Anchorsholme Park, which is being redeveloped. The new defences will help protect Blackpool's tourism and recreational income for the next 100 years.

The scheme forms part of the Fylde Peninsula Coastal Programme, a partnership between the Environment Agency and Wyre, Blackpool and Fylde councils to reduce flood risk to people and develop historic and natural environments. Anchorsholme together with the Rossall project, which is due to be completed next year, form one of the largest coastal defence projects in the country.

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

Blackpool's iconic beachfront is visited by thousands of families each year. This new coastal defence, delivered in partnership with local councils, will better protect the town's popular tourist attractions as well as nearly 5,000 homes and businesses.

It's great news and demonstrates how our work benefits people and the environment.

Blackpool Council Cabinet Member for Environmental Services, Councillor Fred Jackson, said:

I am delighted that this vital sea defence scheme has been officially opened. We now have a sea wall that will provide much stronger flood protection for years to come.

We also have a wonderful new promenade for all to enjoy which makes access from the seafront to the park and town so much easier.

The project has been both an incredible challenge and an incredible achievement for all the organisations involved.

I am also extremely grateful to the neighbours and the local community for being so patient during the construction work. However, I trust that they are delighted with the final result and the additional regeneration work that is being undertaken.

Floods Minister Thérèse Coffey said:

Anchorsholme's new sea wall was made possible thanks not only to £20 million of government funding, but also the huge support of

local government and other partners.

The result is brilliant news for the community – regenerating the area and providing better protection for almost 5,000 homes and Blackpool's iconic tram network ahead of winter.

The Blackpool Council scheme has been funded by the Environment Agency through government grant aid and delivered by contractors Balfour Beatty.

Press release: Upcoming exercise at Worcester City Centre flood scheme

Updated: Date of exercise changed.

On Monday 6 November, the Environment Agency will be carrying out an exercise at the Hylton Road flood defence scheme in Worcester city centre.

The exercise will allow the Environment Agency field operations team to test the barrier deployment process, while also carrying out essential maintenance to parts of the demountable flood barriers which are in the highway.

This will mean that there will be some disruption caused during the exercise as Hylton Road will be closed to traffic between 6:30pm and 8:30pm. The path by the river will remain open to pedestrians.

Barry Killner from the Environment Agency said:

Exercises like this are essential for us to test our procedures and ensure an effective operational response, so that we are fully prepared for when flooding does occur. We are also using the closure of Hylton Road as an opportunity to carry out essential maintenance on our flood barriers across the highway, reducing future impacts to the businesses and residents.

Cabinet Member with Responsibility for the Environment, Councillor Tony Miller said:

Testing the processes and carrying out essential maintenance of our flood barriers, can only be a positive thing for the county. It contributes to the county being able to continue to function as normal as possible, during bad weather, lessening the impacts on the local residents and institutions such as schools and

businesses.

Press release: Residents invited to Burton-upon-Trent flood scheme drop-in events

Burton-upon-Trent residents will have a chance to learn more about the benefits of the Environment Agency's multi-million pound flood scheme improvement work at a series of drop-in sessions next month.

The planned works to the town's flood defences will see upgrades to the 9km of existing defences that already protect more than 7,000 homes and businesses in the town. The work will also see a further 3,358 properties benefit from increased protection.

The work is due to start in early 2019, with a completion date in early 2021 and will enable further transformation of the town centre to allow it to become more sustainable.

Drop-in sessions are being held at a number of locations across the town where Environment Agency staff will be on hand to discuss the scheme as well as to spread awareness about the need to be more flood resilient.

Mark Swain, who heads the Environment Agency's Staffordshire flood risk team, said:

These sessions are a really important means for us to explain our work as well as to listen to residents. We would really like as many people as possible to attend one of our sessions so that they can discuss the exciting plans we have in place for Burton.

Sessions are being held as follows:

- Monday 6 November (5pm to 7pm) – Branston Golf Club pavilion
 - Tuesday 7 November (5pm to 7pm) – Riverside Hotel
 - Thursday 9 November (11am to 2pm) – Burton Library
 - Thursday 9 November (3pm to 6pm) – Meadowside Leisure Centre
 - Monday 13 November (5pm to 7pm) – Tesco, St Peter's Bridge
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Press release: Enforcement Undertaking agreed with Anglian Water

An enforcement undertaking (EU) has been agreed with Anglian Water after the company polluted Houghton Brook, Cambridgeshire with sewage.

Around 150 fish died when sewage from Ilex Road Pumping Station in St Ives was pumped into the water system for 10 hours via the emergency overflow.

The overflow was mainly caused by excessive levels of un-flushable material/rag blocking the pump, which was a known issue at the works. Contributing factors included a second pump being out of service during the incident and the failure of an alarm.

At the time of the pollution the water company tankered the watercourse to prevent pollution travelling further downstream and 2 days later the stream was running clear.

Anglian Water has since replaced equipment at the pumping station including a pump that can better cope with high levels of rag.

The Environment Agency accepted the offer by the water company to put right any damage caused by the pollution and to donate to an environmental charity.

Environment to benefit

As part of the EU, Anglian Water has donated £100,000 to the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire to benefit the local environment and also paid the Environment Agency's costs.

Jeremy Hay, Environment Agency officer, said:

Enforcement undertakings allow those who commit offences to restore the environment and to take steps to prevent a recurrence.

When appropriate, they allow a quicker resolution than a prosecution and help offenders who are prepared to take responsibility for their actions to put things right voluntarily working with their local communities".

Formal sample results taken after the incident in September 2014 showed that sewage had polluted approximately 635m of the stream.

The EU was offered in relation to an offence of pollution under section 4 of the Salmon and Freshwater Fisheries Act 1975.

It was accepted in March 2017 and the undertaking was completed on 30 May 2017.