

Press release: “Illegal and unscrupulous waste criminals” ordered to pay £175,000

The Environment Agency successfully prosecuted 2 known criminals and their company who were sentenced on Friday 9 June 2017 for illegal waste tipping and storage at Baldwins Farm and Bush Farm in Essex.

The Environment Agency investigated PCS Recycling and the owners, Patrick James Corbally Snr and Patrick Lee Corbally Jnr, between 1 March 2012 and 8 May 2013. The men were arrested on site by police officers. They were found guilty of depositing waste, including potentially hazardous materials, in 2012 and 2013.

During the investigation, Environment Agency Officers discovered a large area, the size of 2 football pitches, where waste had been tipped and spread, accumulating to over 15 metres high in places. This area, known as Baldwins Farm, was being used as an illegal waste site, and at least 7,000 tonnes of waste was deposited there between 1 March and 31 August 2012. Both defendants pleaded guilty to operating a regulated facility without a permit at Baldwins Farm.

Patrick Corbally Snr and Patrick Corbally Jnr also pleaded guilty to being responsible for another organised illegal tip at a nearby site, known as Bush Farm (Priory Angling Club). The defendants were responsible for depositing in excess of 9,000 tonnes of waste at this second site. The estimated cost to the landowners (Cemex UK) of clearing and remediating the site of waste was up to £3 million pounds.

Patrick James Corbally Snr and Patrick Lee Corbally Jnr were each given 10-month prison sentences, which were suspended for 2 years, and along with the PCS Recycling, ordered to pay fines of £120,000 and £55,000 compensation to the land owner Cemex.

The sentence was imposed on the basis that the defendants had acted deliberately. There had been major costs of site remediation and significant interference with lawful waste operators, whose legitimate businesses had been undermined.

This fine is one of the highest ever to be imposed on individual defendants following an Environment Agency prosecution.

Sarah Mills, the Enforcement Team Leader at the Environment Agency, said:

Due to the complexity of the case, it took a lot of resources to get the right outcome from this investigation. Waste crime is a serious issue diverting as much as £1 billion per annum from legitimate business and treasury. Since April 2011 the Environment

Agency has invested £65.2 million in tackling it.

Illegal and unscrupulous waste criminals are working with total disregard for the environment, landowners, legal waste operators and any member of the public who use the land. We are determined to stop them by working with our partners in a collaborative effort. We hope this sentence serves as a message to those involved that we won't stop the fight against this blight, and that it acts as a deterrent against those who undermine legitimate businesses within the industry.

We urge any landowners, farmers, ramblers or dog walkers who find these sites to call us immediately on our 24-hour free incident hotline number 0800 80 70 60 or make an anonymous report to Crimestoppers on 0800 555 111.

For all media enquiries, please call: 0800 141 2743

Press release: Ineos is granted environmental permit for exploratory borehole in Derbyshire

The Environment Agency has granted an environmental permit to allow Ineos Upstream Ltd to drill an exploratory borehole at a site in Derbyshire.

The 'Standard Rules' permit allows the company to carry out drilling, waste management, and low-risk testing at its Bramblemoor Lane drilling site, near the village of Marsh Lane. It does not allow fracking.

Standard Rules permits include fixed rules and conditions that cover common, low-risk industrial activities. They are issued to companies only after they demonstrate that they understand and can manage the risks to people and the environment.

If the firm wishes to carry out additional activities on the site in the future, it must submit a bespoke permit application that is tailored to those activities.

A spokesperson for the Environment Agency said:

Our regulatory controls for onshore oil and gas are in place to protect people and the environment. Standard Rules permits are common across industry and maintain high levels of environmental protection. They do not allow companies to carry out fracking –

this activity requires a bespoke permit application which would be subject to a site-specific environmental risk assessment and extensive public consultation.

As with all decisions on whether to issue environmental permits, we will assess a company's proposals to ensure they meet strict requirements. If an activity poses an unacceptable risk to the environment, the activity will not be permitted.

The public documentation relating to this and other permits of Ineos can be viewed here: consult.environment-agency.gov.uk/psc/ineos-upstream-limited-exploration-sites.

[Press release: Fish pass plans for Howsham weir](#)

The Environment Agency is finalising plans to install a fish pass on the River Derwent at Howsham to help migrating fish, eel and lamprey access spawning grounds upstream.

The work is part of a joint programme with Natural England to improve a number of weirs and other structures that the Environment Agency owns in the lower Derwent.

The project will involve the installation of an enhanced single Larinier fish pass near the existing hydropower turbines, along with eel and lamprey tiles at two locations on the weir.

Improved passage will help fish populations by allowing them to move freely between the river and coastal waters to access breeding, nursery or feeding grounds. It will also help species to naturally re-colonise the river upstream after floods, droughts or pollution.

The design is being developed following a public consultation with the local community, environmental organisations, and people who use the river regularly, including anglers and canoeists. It aims to provide a significant improvement for fish while at the same time allowing continued use of a chute across the weir for canoe and kayak training and competitions.

Ineke Jackson, project manager at the Environment Agency, said:

The upstream reaches of the River Derwent and the Rye have very low numbers of lamprey, eels and salmon, so this is a really important

project for the environment.

We have opted for a single fish pass with a special design and additional flow to make it particularly attractive to fish, while protecting canoeing and kayaking. This will be a substantial improvement for fish, and requires only a small reduction in flow through the canoe chute. We will put lamprey and eel tiles on the weir to help these species make their way across.

We are grateful to everyone who contributed during the consultation because this helped us to find a solution which balances all interests.

Construction on the scheme is expected to begin in spring or summer next year.

More information on the public consultation can be found at www.gov.uk/government/consultations/howsham-weir-fish-passage-consultation.

Press release: Scrap yard licence revoked for illegal activity

The Environment Agency took the action against Robert Wright (snr), the former Company Director of Robby's Auto Dismantling Ltd in Stanley, County Durham, following a series of breaches of licence conditions after his son took over the business.

The decision means that Robby's Auto Dismantling Ltd will no longer be authorised to accept and treat waste metals from 15 July 2017.

Environmental permits ensure the protection of the environment and local communities from the risk of pollution caused through the carrying out of waste activities.

Under the regulations, the permit must be in the name of the person who has overall control of the facility and the site must employ an industry qualified technically competent manager to provide waste management advice and guidance.

No application received

The permit for Robby's Auto Dismantling Ltd was in the name of Robert Wright

(snr), meaning he is legally responsible for ensuring the site is compliant. In 2006 he retired and his sons Ian and Robert Wright (jnr) took over. In January 2013 Ian Wright took sole control of the business.

Throughout this period, Environment Officers repeatedly advised Ian and Robert Wright (snr) of the legal requirement to transfer the permit to Ian. No application was ever received and officers were unable to take action against Ian Wright for a number of permit breaches on site because the permit was not in his name. Environment officers deemed these permit breaches to be a result of lack of technical competence.

In addition, the permit holder had failed to pay subsistence fees since 2013.



Permit revoked 'to protect the environment'

Andrew Rothery from the Environment Agency said:

The Environment Agency has revoked the environmental permit for Robby's Autos to protect the environment and ensure a level playing field for legitimate businesses. It is clear that the permit holder is not in a position to ensure compliance with permit conditions.

It is vital that waste companies comply with the law so that communities and the environment are not put at risk. We work with operators to help them meet their obligations, but where significant or repeated breaches occur, we will take appropriate action to protect the environment.

The revocation requires all waste is removed from the site and disposed of legally by 31 July 2017. Failure to do so may lead to legal action by the Environment Agency.

Anyone who experiences problems from this or any other waste site is urged to report the matter to the Environment Agency's incident hotline on 0800 807060 or CrimeStoppers anonymously on 0800 555 111.

Press release: Water abstraction lie costs farm business £5,500

Lakenheath farming business N&M Sizer lied about how much water it abstracted, fearing it would lose its licence or have its abstraction limits reduced.

In doing so, the company falsely stated that it had extracted more water than it was allowed to under the licence which resulted in an investigation by the Environment Agency.

The company had actually taken very little of the allowance as its crops at the time did not need spray irrigation, Ipswich Magistrates' Court heard today (30 May).

It fined the company £3,000 for the deception and ordered it to pay £2,531 costs.

Mrs Megan Selves, prosecuting for the Environment Agency, told the court the company had been worried that as it had not taken much water it would lose the right the following year to take what the licence allowed.

However, she said that any reduction in future abstraction or any revocation of licence would not be done without looking at about 10 years of records and without discussion with the licence holder.

Any assessment would only be carried out when the licence came up for renewal or if there was evidence that the licence is causing environmental damage. The licence for N&M Sizer Ltd expires on 31 March 2027.

Mrs Selves said that water meters at the company's site, Bedford Fen in Sedgfen, had been re-calibrated to corroborate the figures submitted to the Environment Agency in a 'determined effort to mislead'.

She said the company's actions had been deliberate and a 'flagrant disregard for the law' and although there had been no environmental impact, the company had falsified its figures giving a false impression of how much water had been taken from the environment.

Mrs Selves said the company had shown remorse and co-operated with the investigation.

N&M Sizer Ltd pleaded guilty to:

Charge: On or before 30 November 2015 you furnished information to the Environment Agency pursuant to section 201 of the Water Resources Act 1991, namely the water abstraction return for 2014 to 2015 for licence 6/33/39/*S/0496/R01 for abstraction points A, C, D, E and F, and in the said information made a statement which you knew to be false or misleading in a material particular, namely that you had abstracted 153,360 cubic metres of water.

Contrary to section 206(1) and (5) of the Water Resources Act 1991

Media enquiries: For East Anglia press office please contact (24 hours): 0800 917 9250