

Press release: Company and director sentenced after pollution incidents

A company and its director have received fines and costs totalling £33,000 after significantly polluting a stream with blood and then failing to notify the Environment Agency.

The case against AWSM Recycling Ltd, of Lane Head Farm, Hutton Magna, west of Darlington and its sole director Adam Metcalfe, 37, of the same address, involves a number of breaches of environmental law over a significant period of time between July 2011 and October 2015.

The company stores waste and spreads it on agricultural land for the purpose of land improvement, which is controlled by environmental permits.

Both the company and Metcalfe appeared for sentencing at Teesside Crown Court on Monday 19 June. Metcalfe was fined £1,000 and his company £20,000, with the company also ordered to pay £12,000 in court costs.



Three separate pollution incidents

Representing the Environment Agency, barrister Craig Hassall outlined the offences to the court.

The charges relate to the illegal spreading of hazardous material on land,

unauthorised burning of waste and, by breaching permit conditions, allowing waste to escape into streams in three separate incidents.

It also involves the spreading of a nitrogen-rich substance contrary to regulations designed to protect the environment from pollution.

The offences admitted by AWSM Recycling Ltd at a previous court hearing in November 2016 include three significant pollution incidents between January and May 2015.

The first, into Newbiggin Beck, was a leak from a store of blood waste which was kept for land spreading. It resulted in Bishopton Beck in particular being affected, with all invertebrates and fish for 1.2km downstream found dead.

A second incident in March affected Stillington Beck for 1km, significantly reducing oxygen levels in the water. It was caused by land spreading activities involving abattoir waste.

And in May 2015, it was reported that a concrete store which held waste beef blood at Lane Head Farm was leaking into a drain and flowing into a stream. A number of dead fish were found downstream into Smallways and Hutton Becks for a distance of 2km. The water samples showed high ammonia concentration levels.



Breached permit regulations

The company also admitted failing to notify the Environment Agency about a

pollution incident in relation to the May offence.

In further offences, the company also took in large amounts of waste not covered by its environmental permit, including some containing antimony, a substance that should not be allowed to enter groundwater.

Metcalfe, 37, pleaded guilty at the same hearing last November to burning waste at Lane Head Quarry, and failing to notify the Environment Agency about a pollution incident in relation to the May offence impacting on Smallways and Hutton Becks.

Both the company and Metcalfe further appeared at Teesside Crown Court on Tuesday, 21 March this year, where they pleaded guilty to a further offence of failing to comply with Nitrate Prevention regulations because they spread nitrogen-rich digestate during the closed period, which resulted in ammonia being found in a local stream.

Metcalfe, representing AWSM Recycling Ltd, said that since the offences about accepting waste not covered by a permit had come to light new procedures had been put in place, with producers now asked to complete an audit form.

He said he thought he had an exemption to cover the waste on his land at Lane Head Farm.

And he said the first pollution incident was due to vandalism of his storage tank, and he did not feel the incident was serious enough to report at first look. A mechanical failure of new equipment led to the March pollution incident, he added.

Neglect 'led to serious pollution incidents'.

Following the sentence, the Environment Agency's John Crawl, said: "Environmental permits are there to protect our communities and the environment and both AWSM Recycling Ltd and Adam Metcalfe flouted these permits for a significant period of time.

"Their neglect led to serious pollution incidents which impacted on nearby streams and killed fish and invertebrates.

"This has been a lengthy and complicated investigation by our environment officers and we're pleased this has now been dealt with by the court.

"I hope this sends out the message to others that if they fail to abide by environmental laws then we will take action."

Press release: Chance for public to find out about Calderdale flood risk work

The public are being invited to give their views on plans to reduce flood risk in the Calder Valley at a number of drop-ins this month.

People will have the opportunity to find out about the work the Environment Agency and partners including Calderdale Council, Canal and Rivers Trust, Yorkshire Water, National Trust and Slow the Flow Calderdale are doing to reduce flood risk in the area.

The Hebden Bridge drop-in will be the first time residents will get to see plans for the town's flood alleviation scheme, which will improve the protection to up to 500 homes and businesses. This scheme will be available for consultation at the 27 June event at Hebden Bridge town hall.

Also on show at the drop-ins will be the early findings of the second phase of the Upper Calder flood risk reduction schemes. These will investigate, and where feasible, improve the protection to homes and businesses in Brighouse, Walsden, Todmorden, Hebden Bridge, Mytholmroyd, Midgley, Luddenden Foot, Sowerby Bridge, Copley, Ripponden, and Halifax.

The drop-in events are being held on the following dates:

- 26th June, 11am to 7.30pm – Brighouse civic Hall, Bradford Road, Brighouse, HD6 1RW
- 27th June, 11am to 7.30pm – Hebden Bridge Town Hall, St Georges St, Hebden Bridge, HX7 7BY
- 29th June, 11am to 7.30pm – Todmorden Town Hall, Bridge St, Todmorden, OL14 5AQ
- 3rd July, 11am to 6.30pm – Sowerby Bridge Methodist church, Tower Hill, Sowerby Bridge HX6 2EQ.

Environment Agency Flood Risk Manager Adrian Gill said:

We are working hard with our partners to help the communities of Calderdale prepare for and reduce the risks of flooding. We are keen to incorporate the views of local people to help us deliver the best possible solutions.

Cllr Tim Swift, Calderdale Council's Leader, said:

We encourage residents across Calderdale to come along to the drop-in events to find out more about the ongoing work to improve flood resilience, and to share their views on upcoming and proposed

schemes. There will also be opportunities to ask questions to the Council and our partner organisations about flood recovery and protection.

To find out more visit www.eyeoncalderdale.com and www.slowtheflow.net.

Press release: Tesco hit with major £8million fine for pollution incident

Tesco Stores Ltd has been ordered to pay over £8million in fines and costs after pleading guilty to a pollution incident.

The incident, which occurred in July 2014, sparked a huge multi-agency operation involving the Environment Agency, Lancashire County Council, United Utilities, Lancashire Fire and Rescue Service and Lancashire Police.

It had a massive impact on the local community and environment with residents having to leave their homes due to petrol odours coming from the sewer network.

The Environment Agency's joint investigation with partners found that the incident resulted from Tesco's failure to address a known issue with part of the fuel delivery system and an inadequate alarm system and was compounded by poor emergency procedures.

Tesco were fined a total of £8million – £5million for the health and safety offence and £3million for the environmental offence.

Between Wednesday 2 July and Thursday 3 July 2014 approximately 23,500 litres of petrol escaped from a petrol filling tank at a petrol station in Haslingden operated by Tesco.

Petrol entered the sewerage system with the odours affecting residents up to 1km away causing people to seek medical attention with headaches and sickness. The odours remained in the homes for a number of days.

Some of the petrol also entered Langwood Brook and the River Irwell causing a significant environmental impact killing fish and other aquatic life.

Samples taken from the River Irwell detected oil up to three miles downstream. Over 40 dead fish, including brown trout, were found within 1.5 miles of where the pollution entered. Anglers reported dead fish in Bury, over six miles downstream.

About 23,500 litres of unleaded petrol leaked from the tank over a 29 hour period. Around 7,000 litres was later recovered at the site and the remainder

escaped into the sewer system and watercourse.

Mark Easedale, an Environment Manager for the Environment Agency, said:

This pollution incident had a dramatically negative impact on the local community and the environment with Langwood Brook and the River Irwell severely affected. A week after the pollution incident an investigation by Environment Agency officers found fish populations in the River Irwell immediately downstream of Langwood Brook were around 90% lower than those found upstream.

The sentencing today sends out a clear message to anyone whose recklessness causes serious pollution to the environment – we will be relentless in our investigations and take action wherever needed.

Our staff work 24/7 to protect people and wildlife from pollution incidents and we encourage people to report such incidents to the Environment Agency's Incident Hotline on 0800 80 70 60.

This was a joint prosecution with Lancashire County Council and Tesco Stores Ltd also pleaded guilty to an offence under the Health and Safety at Work Act.

County Councillor Albert Atkinson, deputy leader of Lancashire County Council with responsibility for Trading Standards, said:

This was a major leak of fuel in a relatively built-up area and close to a busy superstore. The potential consequences are only too obvious.

The fact that the leak was allowed to continue for more than 24 hours undoubtedly contributed to a risk of harm to people living and working nearby, as well as emergency services and other professionals attending the incident.

- Tesco Stores Ltd were fined a total of £8million at Preston Crown Court – £5million for the health and safety charge and £3million for the environmental offence. They were also ordered to pay Environment Agency costs of £35,434.30 and (approx.) £22,000 to Lancashire County Council.
- Tesco Stores Ltd pleaded guilty to causing a water discharge activity not under and to the extent authorised by an Environmental Permit, contrary to Regulation 12(1)(b) and 38(1)(a) of the Environmental Permitting (England & Wales) Regulations 2010. A guilty plea was entered at an earlier hearing at Burnley Crown Court on 12 September 2016.

- There was a further indictment led by Lancashire County Council: Contravention of Regulation 6(8) of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002 contrary to s.33(1)(c) of the Health and Safety at Work etc. Act 1974. A guilty plea was also entered for this charge.
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Press release: Cornwall waste disposer prosecuted for illegally storing asbestos

The owner of a Cornish waste disposal business has been ordered to pay almost £80,000 in fines and costs for illegally storing and treating waste including asbestos at a site near Penzance.

The site manager was also prosecuted and ordered to pay a total of £6,000 in fines and costs. The case was brought by the Environment Agency.

Leslie Allen ran a waste operation from a site in Perranuthnoe where waste from various commercial and domestic sources was illegally processed. The site was also used to store hazardous waste including asbestos. The storage and bulking of waste requires an Environment Agency permit.

Truro Crown Court heard how the defendant operated without a permit despite receiving advice and guidance from the Environment Agency and assuring officers he would apply for a permit. The business had traded for some 18 years.

An investigation was launched by the Environment Agency in 2014 after officers suspected Les Allen Waste Disposal Services was still operating illegally. The transfer of waste was often not recorded and when it was, the records were either inadequate or misleading.

Waste was recorded as being taken from a customer direct to an approved site when, in actual fact, it was transported to Perranuthnoe for sorting before being taken to various sites. The business benefitted financially from operating without an environmental permit.

During their investigation, Environment Agency officers recovered asbestos from a pile of waste at the site. It had not been bagged or stored in a secure container as is required by law.

Sentencing Allen and his site manager, Richard Shore, Judge Carr said the handling of asbestos was a 'great responsibility' and the defendants had exposed themselves and others to risk. He said poor record keeping meant we

would never know what waste went through the site.

On 5 February 2016, the Environment Agency discovered Leslie Allen was continuing to run an illegal waste operation despite having been interviewed under caution and giving an assurance he would stop. The business was operating a crusher and swing shovel on land near Sunnyvale Farm, Rosudgeon, Penzance and treating mixed construction and demolition waste to raise a ground level without an Environment Agency authorisation.

Sophie Unsworth of the Environment Agency said:

Waste sites must operate within the law and always put human health and the environment above financial gain. This is especially important for sites receiving hazardous waste such as asbestos.

Despite being given repeated advice and guidance by the Environment Agency, the owner chose to continue to operate illegally, receiving, handling and storing waste, without a permit.

Leslie Allen was fined £40,000 for two offences under the Environmental Permitting (England and Wales) Regulations 2010 including, between 17 November 2014 and 6 November 2015 and 5 February 2016 operating a regulated facility, namely a waste operation at The Workshop, Perranuthnoe Lane, Perranuthnoe and on land adjacent to Sunnyvale Farm, Rosudgeon, Penzance without an environmental permit.

He was also ordered to pay £14,200 costs and £25,772 under the Proceeds of Crime Act. Allen was warned that failure to pay would result in a 9-month prison sentence.

The site manager, Richard Shore, was fined £4,000 for the same offences and ordered to pay £2,000 costs.

The sentencing hearing took place at Truro Crown Court on 10 April 2017.

The Environment Agency is currently running a [Right Waste Right Place campaign](#) aimed at small to medium sized businesses who need waste advice.

Notes to editor

- Waste crime can cause serious pollution to the environment, puts communities at risk and undermines local businesses. It's a serious issue, diverting as much as £1 billion a year from legitimate business and the Treasury.
- Waste crime is an issue that we and the government take very seriously. The Environment Agency has enhanced powers – introduced in 2015 – to tackle illegal activity at waste sites.
- The Environment Agency stopped nearly 1,000 illegal waste sites from operating in 2015/16.
- 97% of waste management operators are well run and provide a much needed waste management service. But we take tough action against poor

performing companies and those who commit waste crime.

- If you see waste crime report it by calling our incident hotline on 0800 80 70 60 or anonymously to Crimestoppers on 0800 555 111.

Press release: High fines for illegal fishing

On 13 April 2017, at Barkingside Magistrates court, Billy Cox was fined £300 for fishing without the required number of rod licences, with costs of £127 and a victim surcharge of £30 imposed after a prosecution by the Environment Agency.

Magistrates heard that on 8 September 2016, an Environment Agency enforcement officer found Billy Cox fishing with 3 rods and lines at White Hart Lakes, Dagenham. He was only able to produce one valid licence and further licence checks confirmed that he did not have a second licence to cover the use of his third rod. At the time of the incident a rod licence permitted the use of up to 2 rods and lines which was clearly stated in the terms and conditions supplied with the licence. He was reported for the offence of not being able to produce the required number of licences when challenged by the bailiff.

Billy Cox was convicted in his absence.

Darren Wakenell, of the Environment Agency, said:

The majority of anglers fish legally and purchase a fishing licence. We invest the money from fishing licences back into fisheries improvements, fish stocks and fishing, this is essential for the future of the sport.

The minority of anglers that fail to buy a fishing licence are cheating their fellow anglers and the future of the sport. In addition, fishing licence cheats risk a criminal conviction, a significant fine and could lose their fishing equipment.

During 2015-2016 the Environment Agency checked more than 62,000 fishing licences and prosecuted more than 1,900 anglers for rod and line offences resulting in fines and costs in excess of £500,000.

Anyone witnessing illegal fishing incidents in progress can report them directly to the Environment Agency hotline, 0800 80 70 60. Information on illegal fishing and environmental crime can also be reported anonymously to Crimestoppers on 0800 555 111.

You need a valid Environment Agency fishing licence if you are aged 12 or

over and fish for salmon, trout, freshwater fish, smelt or eel in England.

Junior fishing licences (aged 12-16) are now free, but you must still get a [fishing licence online](#).

Contact

For media enquiries please call us on 0800 141 2743.

Or email us at southeastpressoffice1@environment-agency.gov.uk