

Former waste bosses admit neglect by flouting permit rules

Colin Carr and David Bircher, former directors of Carr and Bircher Ltd, were declared “negligent” for not ensuring a suitable waste testing regime and disposing of the wrong type of waste into an Essex landfill from October 2012 to March 2015.

Carr, 60, of High Street, Newport, Saffron Walden, and Bircher, 64, formerly of Olmstead Green, Castle Camps, Cambridgeshire, both pleaded guilty and were sentenced at Chelmsford Crown Court on 11 September.

The court heard how the company had failed to carry out testing on waste or reject waste that was not suitable for their site despite several warnings by the Environment Agency.

The landfill was only permitted to accept inert waste, which means it is neither chemically nor biologically reactive and will not decompose.

In August 2013, Environment Agency officers visited the site of the landfill and waste transfer station at Widdington Pit, Hollow Road, Saffron Walden, and discovered large quantities of waste that were not permitted to be deposited into the landfill.

Despite assurances that the waste would be removed, a subsequent visit in October found that the waste remained on the site in stockpiles.

During the investigation it was found that, over a number of years, the company had avoided both the costs of testing the waste and the cost of sending the unsuitable waste to an alternative site.

The court was told that disposing the wrong type of waste into the landfill has a “significant” impact on the environment as it can lead to hydrogen sulphide gas being produced.

Environment Agency officers advised the company that the landfill should be capped due to levels of sulphates measured across the site. However, they did not take this action.

Phil Henderson, Environment Agency enforcement team leader, said: “This is the type of activity that grossly undermines the regulatory regime that is in place to protect the environment.

“We are committed to investigating criminal waste operators where we suspect they are not following the rules put in place to protect the environment and create a level playing field for businesses.”

In mitigation, Carr previously told officers that neither the Environment Agency nor the company’s consultants instructed him to test the waste more regularly, until April 2014. Once he became aware of that requirement, the

waste was tested on a more regular basis.

When interviewed, Bircher, who acted as a driver for the company, thought the business was complying with the permit but he was unaware of the specific conditions attached to it.

Both defendants denied that the waste had not been tested in order to save money.

Carr and Bircher ceased to be directors of the company in May 2015 and the company subsequently entered administration in August 2017.