

Press release: Farmers warned after court issues £19,000 fine

Farmers are being warned of their responsibilities to properly store slurry and silage after a dairy farmer and his company were fined £19,162 for twice polluting a protected watercourse.

John Laing and his company Dalbury Ltd, which operates New Heaton Farm in Cornhill-on-Tweed, Northumberland, was sentenced at Newcastle-upon-Tyne Magistrates' Court on 25 January 2017, after pleading guilty to two charges of polluting a tributary that flows into the River Till and another for failing to improve a silage storage unit.

Chris Bunting, prosecuting for the Environment Agency, advised the court that little had been done to prevent the continued leaking of silage into the watercourse to date since the initial incident in June 2014.

This is in contravention of the regulations, which requires farmers to ensure that slurry and water stores, silage clamps and diesel tanks are built to minimise the risk of their contents polluting water or land.

Significant negative impact

Environment Agency officers inspected New Heaton Farm on 16 June 2014 after responding to a report of pollution on the River Till tributary 1.5km downstream.

The tributary, which flows into a Site of Special Scientific Interest (SSSI), was showing signs of sewage fungus and discolouration corresponding with pollution caused by silage and slurry. Pollution was subsequently found to extend over 4km downstream and had a significantly negative ecological impact.

On the farm officers found a large amount of silage effluent flowing from a defective silage store into surface water drains that fed directly into the watercourse.

On 10 October 2014, Environment Agency officers served a notice on Dalbury Ltd requiring the company to carry out improvements to the silage in line with regulations. A further inspection on 1 June 2015 revealed that the works had still not been completed and silage effluent continued to leak into the watercourse.

Insufficient funds to fix problem

In mitigation the defendants apologised and explained that the continued cripplingly low price paid to dairy producers over recent years meant the farm had insufficient funds to fix the problem.

Passing sentence, District Judge Kate Meek ruled that the offenders' culpability had been high, and ordered that the defective silage clamp be brought up to standard by 30 June 2017 otherwise further action could be taken.

Neil Paisley, Senior Agriculture Officer at the Environment Agency, said:

John Laing and Dalbury Ltd repeatedly showed a disregard for the law and a disregard for the environment.

Pollution of any watercourse is a serious offence because of the devastating impact it can have on fish, wildlife and ecosystems. We will take action against anyone who fails to act in accordance with environmental laws.

Regulations governing the design of slurry stores, silage clamps and diesel tanks have been in place since 1991 yet we regularly come across new farm structures that are not compliant. Farmers need to be aware of their legal responsibilities.

Anyone planning to build structure must contact the Environment Agency before starting work. Not only will this ensure their plans are compliant, it will save them money in the long run.