

# Press release: Custodial sentence for operating illegal waste site

Mr Bruce had pleaded guilty to these offences on an earlier occasion, and was referred to Worcester Crown Court for sentencing.

Mr Bruce received an immediate custodial sentence of 26 months. No order for costs was made at this stage, pending the outcome of confiscation proceedings under the Proceeds of Crime Act 2002, which will be resolved in due course.

The charges were brought by the Environment Agency under Regulations 38(1)(a) and 12(1)(a) of the Environmental Permitting (England and Wales) Regulations 2010; Section 33(1)(c) of the Environmental Protection Act 1990; Section 161D (1) of the Water Resources Act 1991; and Regulation 10 of the Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (England) Regulations 2010.

Mr Bruce ran a waste disposal operation centred on a site at Ridgeway Park Farm, Throckmorton Airfield, near Pershore, for 3 and a half years, between 2011 and 2014 without any permit. He brought waste onto the site and either dumped it, buried it or burned it.

Responding to complaints from local residents, Environment Agency officers met with Mr Bruce on a number of occasions, conducting site inspections and enforcing environmental regulations. Warnings were issued following evidence that burning had been taking place on the site.

Throughout March and April 2013, Mr Bruce treated and disposed of waste by burning large quantities of it at Ridgeway Park Farm. For several weeks fires were continually burning at the site causing misery for local residents, endangering health and polluting the air in the area. There was a major impact on the quality of life for local residents, as Mr Bruce burnt a large amount of plastic waste, causing plumes of putrid black smoke across the nearby village.

In April 2013, a fire at the site was attended by Hereford & Worcester Fire and Rescue Service and the Environment Agency, yet Mr Bruce repeatedly ignored the interventions of the Environment Agency and the Fire Service.

The waste on site consisted mainly of construction and demolition waste, some of which included aluminium waste products, which is classified as a hazardous waste. In total, approximately 26,000 cubic metres of waste was brought onto the site by Mr Bruce during the offending period.

Mr Bruce kept his herd of cattle on site grazing amongst the waste and in conditions where polluting effluent was not contained. Environment Agency officers also noticed that waste gypsum powder was being used as animal bedding and advised Bruce that this practice was unlawful. They also noted that the cattle bedding also contained mixed waste, electric cables, drink

cans and plumbing parts.

Brown liquid was seen seeping from storage areas, pooling and flowing in the direction of a small watercourse, approximately 100m away. Officers reported evidence of hazardous waste buried and the potential for discharge substances to enter the groundwater and the Piddle Brook.

In sentencing, the Judge commented that this was serious environmental offending and that there was a clear need for a deterrent sentence. Mr Bruce was given some credit by way of a discount on his sentence as he had pleaded guilty and avoided the need for a trial.

Speaking after the case, an Environment Agency officer in charge of the investigation said:

Waste crime is a serious offence with tough penalties. It can damage the environment, blight local communities and undermine those who operate legally.

Mr Bruce has shown a blatant disregard for the environment and local community, subjecting local residents to months of misery by bringing on large quantities of waste and burning it on the site.

Everyone who disposes of waste has a duty of care to ensure their waste is handled correctly. Whether you are a business, local authority or householder you must make sure you know where your waste goes so it doesn't end up in the hands of illegal operators.

You can help disrupt and prevent waste crime activity by reporting. The Environment Agency urges people to report waste crime on their incident hotline 0800 80 70 60 or anonymously to Crimestoppers on 0800 555 111.

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## [News story: South West Water fined for polluting Salcombe and Dartmouth](#)

South West Water has been ordered to pay £71,800 in fines and costs for failing to correct faults at sewage treatment works in two of Devon's most popular coastal towns. The prosecution was brought by the Environment Agency.

Problems at the company's sewage treatment works in Salcombe and Dartmouth culminated in the sites breaching their environmental permits. Both sites suffer from saline (sea) water infiltration. However, the main issue was failure to manage and maintain processes and infrastructure at the two sites between 2015 and 2016.

Salcombe treatment works serves Salcombe and the nearby village of Malborough. Sewage pipes upstream of the works cross the estuary foreshore and are submerged at high tide. Some of these pipes have faults that allow saline water to enter the sewer network. The treatment process, that involves the use of bacteria to break down effluent, cannot treat excessively salty sewage.

Excessive salinity can damage or kill bacteria used to break down the effluent and prevents the biological treatment process from operating properly. It can prevent suspended solids from breaking down adequately and disrupt the final stage of ultraviolet disinfection before effluent is discharged into the Kingsbridge estuary.

In 2016 South West Water received a report from consultants that said it could not treat the volume of sewage produced in Salcombe to the required standard during the summer months because of the town's increased summer population.

Between September 2014 and August 2016, Salcombe sewage treatment works breached its permit by repeatedly exceeding the maximum number of non-compliant samples it was allowed.

South West Water is permitted to discharge sewage effluent tainted with saline in an emergency. This normally occurs when saline has been diverted away from the normal treatment process, but the holding tank is full.

In September 2015, the Environment Agency expressed concerns at the frequency of discharges from the saline balancing tank, which holds effluent mixed with saline until it is ready to enter the treatment process. Between 3 February 2015 and 2 May 2015 there had been 36 discharges – one of which lasted 53 hours.

The court heard there were similar seawater ingress and equipment failure problems at Dartmouth sewage treatment works. In January 2015, a valve that keeps seawater out of the sewer was identified as in need of replacement, but wasn't finally replaced until October 2015. The 8-month delay would have resulted in a worsening saline ingress problem.

Helen Todd of the Environment Agency said:

We use the environmental permitting regime to protect and enhance the environment for current and future generations.

South West Water's repeated failure to comply with the conditions of its permit at Salcombe and Dartmouth meant that effluent which had not been fully treated was being released into the water environment.

We are working closely with the water company to improve permit compliance and reduce waste water pollution.

Appearing before Exeter Crown Court, South West Water was fined a total of £50,000 and ordered to pay £21,800 costs after pleading guilty at an earlier hearing to two offences under the Environmental Permitting Regulations 2010.

## Notes to editor

- South West Water's Salcombe Sewage Treatment Works contravened its environmental permit when it exceeded its maximum number of samples permitted to exceed the limit for suspended solids on 7 occasions between 7 August 2014 and 17 August 2016, contrary to Regulation 38(2) of the Environmental Permitting Regulations 2010.
- South West Water's Dartmouth Sewage Treatment Works faced two counts of contravening its environmental permit, contrary to Regulation 38(2) of the Environmental Permitting Regulations 2010. The first charge related to discharges containing more than 60mg/l of suspended solids on 3 occasions between 26 January 2015 and 3 November 2015. The second charge related to discharges exceeding the limits for chemical oxygen demand on 3 occasions between 24 July 2015 and 3 November 2015.

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## **Notice: DN41 8BZ, Newlincs Development Limited: environmental permit issued**

The Environment Agency publish partial surrenders that they issue under the Industrial Emissions Directive (IED).

This decision includes the surrender letter, decision document and site condition report evaluation template for:

- Operator name: Newlincs Development Limited
- Installation name: Newlincs Development Limited
- Permit number: EPR/BT4249IB/S006

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## **Notice: Bristol Water Plc and Wessex Water Services Limited: application made to abstract water**

The Environment Agency consult the public on certain applications for the abstraction and impoundment of water.

These notices explain:

- what the application is about
  - which Environment Agency offices you can visit to see the application documents on the public register
  - when you need to comment by
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## [Press release: Coal Authority calls for full consideration of legacy issues](#)

The Coal Authority has today called for local authority planners, surveyors, developers and geotechnical and engineering consultants to ensure coal mining legacy issues are considered in light of their findings from a recent subsidence event in north-east England.

The government body, which manages the effects of past coal mining across Britain, said it had issued the information to share its early recommendations.

Initial ground investigations were undertaken at a housing development in North Tyneside by the Coal Authority in July 2016, after it was contacted by the National House Building Council in relation to an extensive area of subsidence. It has since carried out further extensive ground investigations, including underground camera and laser void surveys, to identify the root cause of the subsidence, and installed 300 survey points above and below the ground to monitor for ground and property movement.

The Coal Authority's ground investigations revealed coal mine workings at a depth in excess of 30 metres. These dated back around 120 years and had not been recorded on the historical mining plans held for the former colliery for this specific area.

The ground investigations proved this specific area had been extensively worked with extraction rates at over 70%, however the plans had showed an area of solid coal. Recorded workings adjacent to this area had typical extraction rates of between 45% and 50%.

This high level of extraction resulted in narrow residual supporting coal pillars and wide extraction rooms in the High Main coal seam, leading to compression on the remaining coal pillars and roof instability. This, together with a fractured sandstone layer above the coal seam, resulted in an underground collapse and subsequent movement at the surface that affected 35 properties on an estate and had an elliptical subsidence zone footprint of around 150 metres x 70 metres.

Coal Authority engineers designed a solution to stabilise the ground, and work to drill and grout the voids has been completed. Ground monitoring will continue to ensure the ground is stable for redevelopment.



Simon Reed, Chief Operating Officer, Coal Authority, said:

“We have released our initial recommendations to ensure there is awareness of the risks posed by historical coal mining legacy, in light of our findings from this recent subsidence event.

“In this instance, given the depth and age of the workings, and knowledge about risks of subsidence at the time, we cannot criticise the developer’s approach taken with respect to these mining circumstances, but we must now build on this new knowledge to address these risks better moving forward.

“This was an area of unrecorded mine workings and caution must be adopted in assuming that the absence of a record means the absence of mining. Although our historic plans did not, in this case, reveal the coal workings they are a vital part of any site assessment prior to development, therefore in future we may ask for more information, or for more works to take place, to reduce the likelihood of a similar subsidence event happening again.”

The Coal Authority expects to release further information in the form of a Technical Guidance Note later this year, after works are completed and following a period of monitoring.



# **Information issued by the Coal Authority**

**Historic mining plans are invaluable but don't always give a true representation of the coal workings underground, meaning:**

- areas mined may vary from those shown on historical plans
- extraction rates may vary from those shown on historical plans
- plans held in historical records may not be the final abandonment plan for the seams and the mine
- not all historical coal workings are recorded

**Both desk-based research and ground investigations should be undertaken to confirm the:**

- potential for unrecorded shallow workings
- accuracy of the shallow coal old working plans
- competence of the strata overlying the coal
- potential effects of groundwater, including assessment of recovering levels post mining which are still taking place today

**The 10 times rock cover guidance outlined in CIRIA SP32\* is only 'a rule of thumb':**

- in this case, the coal was at a depth that exceeded the 10 times rock cover
- appropriate ground investigations should always be undertaken to confirm site specific conditions and local geology also needs to be considered

\*Special Publication 32

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