

# [News story: CC Haulage & Sons Ltd to pay £109,000 for dumping on Devon farms](#)

A Devon haulage and site clearance company faces a bill of more than £100,000 for dumping thousands of tonnes of soil and stone on farmland. The case was brought by the Environment Agency.

CC Haulage & Sons Ltd is a family owned and run company based at Manor Farm, Colebrooke, Crediton. The two directors are Colin Clarke and his wife, Deborah Clarke.

Farmers are allowed to accept up to 1,000 tonnes of non-hazardous waste including soil and stone under a permission known as an 'exemption' that is commonly used on farms to construct hard-standings, bases for buildings and tracks and doesn't need an environmental permit.

In November 2016 the Environment Agency visited Beech Down Farm in Tedburn St Mary where waste was being tipped in a valley. Inquiries revealed that CC Haulage had deposited 7,820 tonnes of waste at the farm. Excessive quantities of waste, much of it from building and construction sites, had also been tipped at 3 other Devon farms at Longdown, Exeter, Yeoford and Crediton.

The offences came to light after the Environment Agency examined waste transfer notes that identified CC Haulage as the source of the excessive amounts of waste material. The company benefitted financially by paying the farmers less to accept the waste than it was charging its clients to take the material away.

The firm's defence said CC Haulage believed the farmers had the necessary permits to accept the waste, but admitted the company should have checked.

Richard Cloke of the Environment Agency said:

Haulage businesses must ensure they comply with the limits and conditions of environmental permits and exemptions.

These are in place to stop the illegal deposit of waste, protect the environment and create a level playing field for the waste industry.

Appearing at Exeter Crown Court, CC Haulage & Sons Ltd was fined £14,000 and ordered to pay £5,000 costs. Judge Geoffrey Mercer also imposed a £90,000 Proceeds of Crime confiscation order at the sentencing hearing on 15 January 2018. The company must pay back this figure from the profits it made from its criminal activities.

Judge Mercer said: "It is not entirely clear to me how the company were unclear about the limits."

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## [Press release: HM Courts & Tribunals Service launches project to promote press access to courts](#)

Bringing together representatives from HMCTS and across the media, the group will develop new ways to build strong relationships between media organisations and their local courts and improve and promote the existing guidance to staff relating to media access. They will also explore how transparency and openness are embedded into HMCTS' £1bn reform and modernisation of courts and tribunals. The changes introduced through digital reforms will mean there are many more ways to access justice without the need to travel and physically attend court. For cases that do need to go to court, there will be more modern and well-connected courtrooms.

The group – which will make recommendations to HMCTS CEO Susan Acland-Hood – will include representatives of the Society of Editors and the News Media Association, and the Judicial Office, and will be chaired by Ed Owen, the Head of Communications for HMCTS.

Susan Acland-Hood, CEO of HMCTS, said:

The reporting of court proceedings has long been an important part of maintaining public confidence in our justice system. So its decline in recent years represents a real concern.

I want to ensure that HMCTS is doing all we can to promote media coverage of court hearings as part of our commitment to openness and transparency, and I am pleased that media organisations have joined us to consider this issue together. I look forward to receiving its recommendations.

Ed Owen will launch the initiative at a Society of Editors event today, and will say that court reporting is vital for democracy and for public confidence in the justice system.

Ian Murray, executive director of the Society of Editors, said:

The Society of Editors is delighted to be involved in this tremendously important work in ensuring open access to the courts for journalists. Nothing can be more important for local

communities than to have faith that justice is being delivered fairly on their behalf and that can only be done by reporting court proceedings. The Society is grateful to HMCTS for initiating this procedure.

Santha Rasaiah, legal, policy and regulatory affairs director for the News Media Association, said:

Court reporting is essential to open justice. The NMA warmly welcomes this HMCTS initiative to help the courts and news media, local and national, to work together in furthering and facilitating press access and reporting.

This translates that vital principle into everyday practice, to the benefit of the public that they both serve. It is in itself another example of such constructive co-operation and we are pleased to be working together again.

### **Note to editors:**

The event will include a discussion on how to get reporters back into courts. Panellists include:

- The former Lord Chief Justice, Lord Judge
- Ed Owen
- Ian McGregor, The Society of Editors President and Emeritus Editor of the Telegraph
- John Whittingdale MP
- Ian Murray, Society of Editors Executive Director
- Tristan Kirk, courts correspondent for the London Evening Standard

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## **Press release: Dedication event for victims of overseas terrorism**

Families of those who have lost loved ones in terrorist attacks abroad or others who have been directly affected are invited to apply to attend the event at the National Memorial Arboretum, in Staffordshire.

The National Memorial to Victims of Overseas Terrorism – entitled Still Water – is dedicated to all British victims of overseas terrorism and will stand to honour any future victims.

Tobias Ellwood, Minister for Defence People and Veterans said:

This memorial is a poignant tribute to British people killed in terrorist attacks abroad and will act as a focal point for remembrance for their loved ones and the whole country.

It is a space for quiet reflection and contemplation and I hope that it will become a place where those who have been affected can come to remember.

I would encourage anyone who has lost a family member in an overseas terrorist incident to apply for a place at the dedication ceremony and join this act of remembrance.

An online consultation for the memorial was launched by Mr Ellwood in January 2016, which sought views from those who had been affected by incidents overseas. In September 2017 it was announced that 'Still Water', by Alison Wilding and Adam Kershaw, had been selected by an independent panel to be the memorial. The work was completed in December 2017 and it is now open to the public.

A limited number of places are available for family members of victims and others who have been personally affected by terrorist incidents abroad at the dedication ceremony on 17 May. Those wishing to attend the dedication ceremony are invited to apply for places by [registering on gov.uk](https://www.gov.uk/register-for-the-remembered).

Further information on the ceremony will be released in due course.

People interested in attending are asked to apply by 19 February 2018.

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## **[Press release: Major care home group drops 'after death' fees following CMA action](#)**

The Competition and Markets Authority (CMA) has welcomed Maria Mallaband Care Group's decision to stop using a contract term requiring the payment of one month's fees following the death of a resident who paid for their own care.

The move comes as part of an ongoing consumer law [investigation by the CMA](#) into fees charged by a number of care home providers, and its [year-long study](#) of the residential care home market where the CMA made clear its concerns that it is unfair to continue to charge fees for an extended period after a resident has died.

Maria Mallaband, together with its sister company, Countrywide Care Homes, operates 64 residential care homes in England and Northern Ireland. In

response to intervention by the CMA, the group has agreed to amend its contract terms at these and any future care homes it operates so that fees will only be charged up to the date of death.

As part of its work, the CMA found that charging fees after death was widespread across the sector and that practices vary. In order to ensure that care homes take a consistent and lawful approach, the CMA will be publishing compliance advice for the sector as a whole. It has today launched a [public consultation](#) seeking views on its draft advice, so it can reach a final view on whether it's fair to charge fees after death and, if so, for how long.

Michael Grenfell, Executive Director for Enforcement at the CMA, said:

It is important that care home residents, and their families, can be confident they will be fairly treated, especially during the difficult period after a family member has died.

We are pleased that the Maria Mallaband Care Group has been responsive to our concerns about fees charged after death, and has taken clear and positive steps to make changes ahead of our public consultation on such fees. We expect other care homes to make any necessary changes in line with our final views when published.

We now want to hear from families and care homes as part of our consultation.

The consultation includes a [draft of the CMA's compliance advice](#) and will run for 4 weeks, closing on 16 February 2018. The CMA will then publish a final version of the compliance advice and a summary of the responses received.

For further information see the care [home case page](#).

## Notes for editors

1. During its [market study](#) into the UK residential care home sector, the CMA announced that it had opened an investigation into a number of care homes providers due to concerns that some of the contract terms and/or practices they use may breach consumer law. The investigation is currently focused on the requirement for fees to be paid for an extended period after a resident's death and the charging of large, upfront fees. The CMA also made clear that if it identified serious concerns regarding potential breaches of consumer law on these, or other issues, it might decide to open further investigations.
2. In addition to these two issues, the CMA's market study identified a number of other consumer law concerns. The CMA will consult on comprehensive consumer law compliance guidance, covering the range of concerns identified in the market study report, in Spring 2018.

3. Whilst the Maria Mallaband Care Group has co-operated and constructively engaged with the CMA, and agreed to make changes voluntarily to its previous terms and practices, it does not consider that its previous terms or policies were unfair. However, in light of the CMA's concerns, it has decided to make changes that require fees to be paid only up to the date of death in contracts for care concluded with self-funded residents. It also confirmed that no additional charges or fees will be applied, irrespective of when the room is cleared of the resident's possessions. These changes apply to both to the Maria Mallaband Care Group and its sister company, Countrywide Care Homes Limited and came into effect on 1 December 2017
4. The final decision on whether a term or practice infringes the law rests with the courts and no such finding has been made in this case.
5. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for enforcing consumer and competition law and carrying out investigations into mergers, markets and the regulated industries. For more information on the CMA see our homepage, or Twitter account [@CMAgovuk](#), or [Flickr](#), [LinkedIn](#) and [Facebook](#) pages. Sign up to our email alerts to receive updates on markets cases.
6. Enquiries should be directed to [press@cma.gsi.gov.uk](mailto:press@cma.gsi.gov.uk) or 020 3738 6337.

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## [News story: Bat conservation panel appointed](#)

Natural England has appointed a new expert panel to help shape the future of bat conservation in this country.

As Natural England considers an innovative approach to licensing across a range of species, it is looking at how the implementation of protected species legislation could be improved in its delivery for conservation and ensuring that regulation is applied proportionately. The Bat Expert Panel will provide a forum for generating ideas and testing Natural England's thinking with the aim of securing better outcomes for bats and stakeholders.

The panel is chaired by Natural England's Chief Scientist, Dr Tim Hill, and includes experts with a strong track record of research or achievement in bat conservation from across academic, commercial, NGO and statutory sectors. It will shape Natural England's bat reform programme and help to ensure the reform projects are informed by the best available evidence, and based on

sound judgement of what is achievable. In this way it will play an important role in developing consensus and partnerships for bat conservation.

Dr Tim Hill said:

The number of licence applications for bats received by Natural England is greater than for other species groups and is increasing. The panel will look for ambitious change to improve bat conservation and where evidence allows, make it work positively for everyone that it affects.

The legal protection of bats commenced following the Wildlife and Countryside Act 1981 and was further strengthened by the Habitats Directive and subsequent Conservation of Species and Habitats Regulations. Since this legislation has been in place, national monitoring data suggests populations of most bat species have been stable or increasing although this is recognised as being set against large-scale historic declines. This improvement for certain bat species may be due in part to successful implementation of this legislation.

Over this time period considerable change has happened. The bat conservation movement has developed enormously and survey technology has moved on, advancing our understanding of bat ecology.

The members of the panel are:

- Professor Kate Jones – Professor of Ecology and Biodiversity, University College London
- Professor Paul Racey – Emeritus Professor, University of Aberdeen
- Dr Matt Zeale – Research Associate and Lecturer, University of Bristol
- Professor Fiona Mathews – Professor of Environmental Biology, University of Exeter
- Dr Stuart Newson – Senior Research Ecologist, Population Ecology & Modelling, British Trust for Ornithology
- Dr Carol Williams – Director of Conservation, Bat Conservation Trust
- Paola Reason – Technical Director, Arcadis
- Jean Matthews – Former Mammal Ecologist, Natural Resources Wales. Retired.
- Dr Stephanie Wray – President of CIEEM, Partner at Tyler Grange
- Dr Peter Shepherd – Partner at BSG Ecology