

Civil Sanctions

Our use of civil sanctions under the Regulatory Enforcement and Sanctions Act 2008

August 2016

This publication contains details of the cases for which we have imposed or accepted a civil sanction for environmental offences, as required by Article 14 of the Environmental Civil Sanctions (England) Order 2010.

Enforcement Undertakings (EUs)

The following table shows details of EUs accepted by the Environment Agency in the period 1 January 2016 to 31 July 2016 (Note: This list may also include details of EUs accepted between 1 August 2015 and 31 December 2015 but not previously published):

Our Ref	Offeror	Legal Status	Offence(s) for which EU accepted	Proactive or Reactive Offer	Action(s) to stop offending, restore/remediate, come into compliance or benefit any person affected by the offence(s)	Action(s) that will secure equivalent benefit or improvement to the environment
A222	Bahlsen Management Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register 40(1)(a) and Failure to take reasonable steps to recover and recycle packaging waste 40(1)(b)	Proactive	Registered with Kite Compliance Scheme, Internal Compliance Programme and Environment Agency cost recovery.	Financial contribution of £20,000 to the Woodland Trust and £19,800 to the Herts and Middlesex Wildlife Trust

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A242	Cobell Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register 40(1)(a) and Failure to take reasonable steps to recover and recycle packaging waste 40(1)(b)	Proactive	Registered with Comply Direct Compliance Scheme, New methodology and procedures, Responsible person and Environment Agency cost recovery.	Financial contribution of £33,723.20 to the Woodland Trust
A264	Cracker Drinks Co. Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Paperpak Compliance Scheme, Internal Compliance Programme and Environment Agency cost recovery.	Financial contribution of £500 to the New Forest Trust
A303	E & JW Glendinning Limited	Company	Salmon & Freshwater Fisheries Act 1975 (SAFFA) - Discharging matter or effluent that is poisonous or injurious to fish, spawn, spawning areas or food of fish [Section 4(1)]	Reactive	Site infrastructure works and Environment Agency cost recovery.	Financial contribution of £70,000 to the Westcountry Rivers Trust

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A312	F G Brewer & Sons Limited	Company	Environmental Permitting (England and Wales) Regulations 2010 (EPR) - Operating without or other than in accordance with a permit (water discharge activity) [Regulations 38 & 12]	Reactive	Site infrastructure works, Updated standard operating procedures and Environment Agency cost recovery.	Financial contribution of £8,500 to the Westcountry Rivers Trust
A300	F G Palmer & Sons Limited	Company	Salmon & Freshwater Fisheries Act 1975 (SAFFA) - Discharging matter or effluent that is poisonous or injurious to fish, spawn, spawning areas or food of fish [Section 4(1)]	Reactive	Full slurry management review, Changes to slurry spreading procedures and Environment Agency cost recovery.	Financial contribution of £5,000 to the Westcountry Rivers Trust
A233	Frobishers Juices Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Comply Direct Compliance Scheme, New methodology and procedures, Responsible person and Environment Agency cost recovery.	Financial contribution of £7,386.73 to the Woodland Trust

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A319	Garden Selections Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Reactive	Registered with the Environment Agency and Environment Agency cost recovery.	Financial contribution of £3,307.07 split between the Marine Conservation Society and Dorset Wildlife Trust.
A203	Gonzalez Byass UK Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Biffpack Compliance Scheme, New compliance process for data management, Responsible person and Environment Agency cost recovery.	Financial contribution of £120,000 to the Woodland Trust
A284	Hameln Pharmaceuticals Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Kite Compliance Scheme, Internal Compliance Programme and Environment Agency cost recovery.	Financial contribution of £35,000 to the Friends of Westonbirt Arboretum

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A230	Lamberts Healthcare Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Reactive	Registered with Complypak Compliance Scheme and Environment Agency cost recovery.	Financial contribution of £10,000 split between Sussex Wildlife Trust and Kent Wildlife Trust
A266	Lyme Bay Cider Company Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Comply Direct Compliance Scheme, New methodology and procedures, Responsible person and Environment Agency cost recovery.	Financial contribution of £11,566.86 to the British Beekeepers Association
A196	Paperchase Products Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Valpak Compliance Scheme, Responsible person and Environment Agency cost recovery.	Financial contribution of £19,017.67 to the Woodland Trust

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A265	Phaseolus Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with a packaging compliance scheme and Environment Agency cost recovery.	Financial contribution of £3,885.34 to How Hill Trust
A294	Probiotics International Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Reactive	Registered with Comply Direct compliance scheme, Oversight by Management Team, Responsible persons, Internal work procedures/methodology and Environment Agency cost recovery.	Financial contribution of £12,330.54 to Carrymoor Environmental Trust
A220	Syncreon Technology (UK) Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Valpak Compliance Scheme, New management procedures, Responsible persons and Environment Agency cost recovery.	Financial contribution of £6,095.36 to the Wildlife Trust for Bedfordshire Cambridgeshire Northamptonshire

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A195	Trelleborg Holdings UK Limited	Company	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As Amended) - Failure to register [Regulation 40(1)(a)] and Failure to take reasonable steps to recover and recycle packaging waste [Regulation 40(1)(b)]	Proactive	Registered with Valpak Compliance Scheme, Responsible person and Environment Agency cost recovery.	Financial contribution of £10,618.98 to the Freshwater Habitats Trust
A304	Weststar Holidays Limited	Company	Environmental Permitting (England and Wales) Regulations 2010 (EPR) - Failure to comply with or contravene a permit condition (water discharge activity) [Regulations 38 & 12]	Reactive	Site infrastructure works, Improved record keeping, Staff training, New external testing procedure, Monthly audits/checks and Environment Agency cost recovery.	Financial contribution of £12,000 split between the National Trust and Marine Conservation Society

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Fixed Monetary Penalties (FMPs)

The following table shows details of FMPs imposed by the Environment Agency in the period 1 January 2016 to 31 July 2016 (Note: This list also includes details of cases in which liability to the penalty has been discharged by payment of the penalty ('Discharge Payment') following the notice of intent and without further action being taken):

Our Ref	Offender	Legal Status	Offence(s) for which FMP Notice of Intent/Final Notice was imposed	Discharge payment made following FMP Notice of Intent?	Fixed Monetary Penalty Final Notice amount (£)
39465	Lime Property Fund Limited Partnership	Limited Partnership	Water Resources Act 1991 - Failure to comply with other conditions of a licence [Section 24(4)(b)]	No	£300*

*Full payment made after 'Discharge Payment' period but before FMP Final Notice could be imposed.

You can contact us to request information at:

FOI requests

Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests

PO Box 544

Rotherham

S60 1BY

Email: enquiries@environment-agency.gov.uk

Main switchboard: 03708 506 506

ENDS

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03708 506 506

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0800 80 70 60

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