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# Environment Agency

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Transparency data

## **Enforcement Undertakings accepted by the Environment Agency**

Updated 15 June 2020

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This publication is available at <https://www.gov.uk/government/publications/environment-agencys-use-of-civil-sanctions/enforcement-undertakings-accepted-by-the-environment-agency-1-december-2019-to-31-may-2020>

## Our approach to Enforcement Undertakings (EUs)

An EU is a voluntary offer made by an offender to:

- put right the effects of their offending
- put right the impact on third parties
- make sure it cannot happen again

If we accept the offer it becomes a legally binding agreement between us and the business or person who makes the offer. We will only consider accepting an EU for cases where:

- it is not in the public interest to prosecute
- the offer itself addresses the cause and effect of the offending
- the offer protects, restores or enhances the natural capital of England

Find out how we decide whether to accept an EU for less serious offending in Annex 1: RES Act - the Environment Agency's approach to applying civil sanctions and accepting enforcement undertakings (<https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/annex-1-res-act-the-environment-agencys-approach-to-applying-civil-sanctions-and-accepting-enforcement-undertakings>).

This list shows details of EUs accepted by the Environment Agency between 1 December 2019 and 31 May 2020. It may also include details of EUs accepted which have not been published before.

## Environmental Permitting (England and Wales) Regulations 2016

### Arthur Whittaker and Brian Whittaker (t/a C J Whittaker and Sons) (reference 514)

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop environmental damage and restore the site
- do site improvement works
- employ an external consultant
- cover the Environment Agency's costs

They will contribute £18,000 to the Trent Rivers Trust.

### Anglian Water Services Limited (Gunton Hall Lake) (reference 606)

This enforcement undertaking was accepted in relation to offences under both the Environmental Permitting Regulations 2016 and 2010.

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- do a site review
- do servicing, repair and improvement works
- stop environmental damage and restore the site
- compensate an impacted third party

- cover the Environment Agency's costs

They will contribute £130,000 to the River Waveney Trust.

### **MES Environmental Limited (reference 618)**

The offence was failing to comply with a permit condition (an installation) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- revise management procedures and systems
- train staff
- do site repairs
- report and engage with regulators
- cover the Environment Agency's costs

They will contribute £60,000 to the Wildlife Trust for Birmingham and the Black Country.

### **Severn Trent Water Limited (Coaley Sewage Treatment Works) (reference 620)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- send us a report on lessons learned
- cover the Environment Agency's costs

They will contribute £100,000 to Gloucestershire Wildlife Trust.

### **Chase Distillery Limited (reference 636)**

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop environmental damage and restore the site
- remove waste
- do site improvement works
- train staff
- improve inspection procedures
- do water sampling
- cover the Environment Agency's costs

They will contribute £12,500 to Herefordshire Wildlife Trust.

### **Severn Trent Water Limited (Longbridge Sewage Treatment Works) (reference 649)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- do site improvement works
- do a site investigation
- cover the Environment Agency's costs

They will contribute £158,000 to Warwickshire Wildlife Trust.

### **Severn Trent Water Limited (Pye Bridge Sewage Treatment Works) (reference 661)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- do site repairs and improvement works
- cover the Environment Agency's costs

They will contribute £40,500 to Derbyshire Wildlife Trust.

### **Severn Trent Water Limited (Astwood Bank Sewage Treatment Works) (reference 674)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- do site improvement works
- do more inspections
- cover the Environment Agency's costs

They will contribute £60,892 to Severn Rivers Trust.

### **Timothy Taylor and Co Limited (reference 676)**

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- increase inspection frequency
- do planned maintenance
- do site improvement works
- cover the Environment Agency's costs

They will contribute £40,400 to Aire Rivers Trust.

### **TCS (Waste) Limited (reference 691)**

The offence was failing to comply with a permit condition (waste operation) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop operating
- remove waste
- cover the Environment Agency's costs

They will contribute £2,500 to the Prospects Foundation.

### **James Miller (of TCS (Waste) Limited) (reference 691)**

The offence was failing to comply with a permit condition (waste operation) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop operating
- remove waste
- cover the Environment Agency's costs

They will contribute £2,500 to the Prospects Foundation.

### **Yorkshire Water Services Limited (Hatfield Woodhouse Sewage Treatment Works) (reference 697)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- do site improvement works
- remove effluent
- do investigation works
- cover the Environment Agency's costs

They will contribute £200,000 to Yorkshire Wildlife Trust.

### **Miry Lane Recycling Limited (formerly known as Ainscough Skip Hire Limited) (reference 712)**

The offence was failing to comply with a permit condition (waste operation) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop operating
- remove waste
- cover the Environment Agency's costs

They will contribute £1,500 to Lancashire Wildlife Trust.

### **Bolsover District Council (Pleasley Vale Mills Sewage Treatment Works) (reference 726)**

The offence was failing to comply with a permit condition (water discharge activity) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- appoint a new contractor to manage sludge removal
- cover the Environment Agency's costs

They will contribute £7,000 to the Wild Trout Trust.

## **Environmental Permitting (England and Wales) Regulations 2010**

### **Bakkavor Foods Limited (reference 441)**

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop environmental damage and restore the site
- do site improvement works
- review procedures

- train staff
- do a site survey
- compensate impacted third parties
- cover the Environment Agency's costs

They will contribute £20,000 to:

- The Swan Sanctuary – £10,000
- Canal and Rivers Trust – £10,000

### **Yorkshire Water Services Limited (Colburn Sewage Treatment Works) (reference 480)**

The offence was operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1).

This was a reactive offer. The actions the offeror has taken or will take are to:

- stop environmental damage and restore the site
- do site improvement works
- do site repairs
- train staff
- do a company-wide review of similar sites
- cover the Environment Agency's costs

They will contribute £250,000 to Yorkshire Wildlife Trust.

### **Anglo Beef Processors UK (Shrewsbury – reference 571) and (Sturminster – reference 572)**

The offences were:

- operating without or other than in accordance with a permit (water discharge activity) – Regulation 38(1)
- failing to comply with a permit condition (an installation) – Regulation 38(2)

This was a reactive offer. The actions the offeror has taken or will take are to:

- prepare an incident response, repair and prevention plan
- stop environmental damage and restore the site
- do site improvement works
- do a site survey
- update site drainage plans
- do daily checks and monitoring
- put major investment into procedures and equipment
- cover the Environment Agency's costs

They will contribute £110,000 to:

- Severn Rivers Trust – £36,049.05
- the Rivers Trust – £37,581.95
- Wessex Chalk Stream and Rivers Trust – £36,369

### **SUEZ Recycling and Recovery Southern Limited (reference 692)**

The offence was failing to comply with a permit condition (an installation) – Regulation 38(2).

This was a reactive offer. The actions the offeror has taken or will take are to:

- carry out leachate extraction and disposal, de-silting and survey works
- cover the Environment Agency's costs

They will contribute £100,000 to:

- Surrey Wildlife Trust – £55,000
- Seale and Sands Parish Council – £45,000

## **Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (as amended)**

### **Williams Trade Supplies Limited (reference 414)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- implement a new methodology
- cover the Environment Agency's costs

They will contribute £4,642.35 to Surfers Against Sewage.

### **EMC Computer Systems (UK) Limited (reference 461)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- assign a responsible person(s)
- improve procedures and methodology
- cover the Environment Agency's costs

They will contribute £8,759.31 to Trees for Cities.

### **Edmo Limited (reference 471)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Ecosurety compliance scheme
- implement new compliance systems
- train staff
- cover the Environment Agency's costs

They will contribute £23,645.59 to Herefordshire Wildlife Trust.

### **Oliver Bonas Limited (reference 503)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Kite compliance scheme
- implement a new internal compliance programme
- cover the Environment Agency's costs

They will contribute £8,500 to Trees for Cities.

### **The Works Stores Limited (reference 532)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Biffpack compliance scheme
- assign a responsible person(s)
- implement new written procedures
- train staff
- do monthly compliance reporting
- do compliance scheme reviews
- cover the Environment Agency's costs

They will contribute £35,868.12 to Warwickshire Wildlife Trust.

### **Flexicon Limited (reference 543)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- assign a responsible person
- implement new methodology and internal processes
- cover the Environment Agency's costs

They will contribute £7,356.27 to Keep Britain Tidy.

### **Groupe SEB UK Limited (reference 553)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with REPIC compliance scheme
- train staff
- implement new data systems
- cover the Environment Agency's costs

They will contribute £12,000 to:

- Thames Rivers Trust – £6,000
- Marine Conservation Society – £6,000

### **BDP Imports Limited (t/a Bramblecrest) (reference 570)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Kite compliance scheme
- assign a responsible person(s)
- do periodic reviews
- implement new written methodology
- cover the Environment Agency's costs

They will contribute £9,657 to Trees for Cities.

### **RTI Advanced Forming Limited (reference 582)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- assign a responsible person
- implement new methodology and internal processes
- cover the Environment Agency's costs

They will contribute £2,578.73 to Marine Conservation Society.

### **Fabriweld Tubular Steel Products Limited (reference 591)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Kite compliance scheme
- implement a new internal compliance process
- assign a responsible person(s)
- implement new written methodology
- do periodic reviews
- cover the Environment Agency's costs

They will contribute £15,300 to Nottinghamshire Wildlife Trust.

### **Fittleworth Medical Limited (reference 597)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- assign a responsible person
- implement a new data submissions process and methodology
- cover the Environment Agency's costs

They will contribute £15,306.06 to Hubbub Foundation UK.

### **Seasalt Limited (reference 605)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Comply Direct compliance scheme
- assign a responsible person(s)
- revise internal work procedures and methodology
- implement a new sign-off procedure
- cover the Environment Agency's costs

They will contribute £5,700.06 to Surfers Against Sewage.

### **Ranson NV UK Limited (reference 610)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Wastepack compliance scheme
- attend a workshop
- cover the Environment Agency's costs

They will contribute £25,575.38 to the Green Light Trust.

### **Neptune (Europe) Limited (reference 629)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Kite compliance scheme
- implement a new internal compliance programme
- assign a responsible person(s)
- implement new methodology
- do periodic reviews
- cover the Environment Agency's costs

They will contribute £17,350 to Wiltshire Wildlife Trust.

### **House of Vantage Limited (reference 644)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Kite compliance scheme
- assign a responsible person(s)
- implement new written methodology
- do periodic reviews
- cover the Environment Agency's costs

They will contribute £2,550 to the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire.

### **Pets Corner (UK) Limited (reference 645)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Biffpack compliance scheme
- get external advice and help
- cover the Environment Agency's costs

They will contribute £25,641 to the Woodland Trust.

### **Pampurredpets Limited (reference 646)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Biffpack compliance scheme
- get external advice and help
- cover the Environment Agency's costs

They will contribute £19,232 to the Woodland Trust.

### **Kong Company Limited (reference 651)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a reactive offer. The actions the offeror has taken or will take are to:

- register with Greenpack compliance scheme
- implement new registration procedures
- cover the Environment Agency's costs

They will contribute £4,930.59 to the Species Recovery Trust.

### **Lechler Coatings Limited (reference 673)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- implement a new compliance structure
- implement new methodology and internal processes
- cover the Environment Agency's costs

They will contribute £31,332.38 to Keep Britain Tidy.

### **Fruitful Office Limited (reference 677)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Complypak compliance scheme
- revise their packaging process
- assign a responsible person
- cover the Environment Agency's costs

They will contribute £3,374 to the Woodland Trust.

### **World Brands Duty Free Limited (t/a Global Travel Retail) (reference 679)**

The offences were failure to:

- register – Regulation 40(1)(a)
- take reasonable steps to recover and recycle packaging waste – Regulation 40(1)(b)

This was a proactive offer. The actions the offeror has taken or will take are to:

- register with Valpak compliance scheme
- assign a responsible person
- implement new methodology and internal processes
- cover the Environment Agency's costs

They will contribute £26,037.86 to the Marine Conservation Society.

### **Water Resources Act 1991**

#### **Bristol Water PLC (Chew Magna Reservoir) (reference 665)**

The offence was failure to comply with other conditions of a licence – Section 24(4)

This was a reactive offer. The actions the offeror has taken or will take are to:

- implement new procedures
- train staff
- do site improvement works
- do site surveys
- do ecological surveys and enhancement works
- cover the Environment Agency's costs

They will contribute £15,000 to Bristol Avon Rivers Trust.