

Waste carrier fined after depositing tonnes at illegal site

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The Devon waste carrier was fined £1,466 and told to pay back the economic benefit he realised by his illegal activity of £12,300.

Devon waste carrier David Gorton has been told to pay £17,527 after he deposited waste at a site near Kingsteignton in Devon which was operating illegally.

Newton Abbot Magistrates' Court heard that Gorton, aged 59, of Denbury Road, Newton Abbot, deposited 1,368 tonnes of soil and stone at the illegal site between 19 July 2018 and 16 May 2019, whilst operating as a registered waste carrier.

Following Monday's hearing Gorton was fined £1,466 and told to pay back the economic benefit he realised by his illegal activity of £12,300 after pleading guilty to the illegal deposit of controlled waste and failing to comply with his duty of care as a waste carrier.

He was also told to pay the Environment Agency's costs of £3,614 and a victim surcharge.

The landowner of the site in question, Christopher Garrett was prosecuted in 2024 after receiving multiple warnings from the Environment Agency.

Thousands of tonnes of mixed construction and demolition waste was found at the premises.

It was estimated it would cost at least £2.5M to remediate the site, which sits on a flood plain.

The deposits of waste would have significantly increased the flood risk in the area.

The landowner told Gorton he had a license in place as a waste site, but Gorton failed to check this himself.

Registered waste carriers have a duty of care to ensure that they know where they are sending their waste and take steps to ensure that their waste is handled by legal sites.

Even after being warned about the site by an Environment Agency officer in 2019, Gorton continued to make deposits.

An Environment Agency spokesperson said:

This illegal eyesore was made possible by waste carriers like Gorton who ignored the law to deposit waste at the site.

Waste regulations are in place to protect people and the environment, and it is essential that all companies follow the rules.

We would like to remind everyone who produces, transports or disposes of waste that they have a duty of care to ensure it doesn't end up at a site like this.

Anyone who suspects illegal waste activity can report it anonymously to Crimestoppers on 0800 555 111.

Background

David Gorton was charged with two offences:

- Between 19 July 2018 and 16 May 2019, you, David Gorton, did deposit controlled waste, namely construction waste on Land at Little Lindridge Farm, Kingsteignton, Newton Abbot, Devon, when there was no environmental permit in force authorising such a deposit,

Contrary to section 33(1)(a) and (6) of the Environmental Protection Act 1990, as amended.

- Between 19 July 2018 and 16 May 2019, you David Gorton, being a person who carries controlled waste, failed to comply with the duty of care imposed by section 34(1) and (5) of the Environmental Protection Act 1990 in that on the transfer of waste, you failed to ensure that there was transferred such written description of the waste as would have enabled other persons to avoid a contravention of section 33 of the said Act and to comply with the Duty under section 34(1) of the said Act as respects the escape of waste

Contrary to s34(1) and 34(6) of the Environmental Protection Act 1990.

<https://www.gov.uk/government/news/waste-carrier-fined-after-depositing-tonnes-at-illegal-site>