

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Statement of: Philip White

Age if under 18: 'over 18' (if over 18 insert 'over 18')

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature :

Date :

I am an authorised officer with Watford Borough Council, an Environmental Crime Officer within the Community and Customer Service Department.

Former Watford Football Club owner Laurence Bassini leased the business, The Red and Yellow Lion Ltd, 88/98 College Rd, Harrow, which owns The Red Lion Pub, 105, Vicarage Road, Watford, in August 2012 to Daut Hashini, with Josh Price managing the running of the pub.

On the 28th September 2012 illegally dumped waste was found at the recycling banks in Tolpits Lane, Watford. It consisted of cardboard boxes, and bags of waste, image attached. Evidence was found it the waste relating to The Red Lion public house.

The flytip affected the amenity of the area, polluted the environment, and was a hazard to the public, being an act of anti-social behaviour. It was cleared by the council at the expense of the public purse.

Both Mr. Hashini and Mr. Price were interviewed under caution regarding this incident on the 6th December 2012. They denied dumping the waste, stating they believed the waste had been stolen to get them in trouble, although they were unable to provide any evidence of this, CCTV footage, damaged locked, etc.

They had no waste contract in place to dispose of their waste through a licensed waste carrier, and were keeping it in an outbuilding.

The fact that their waste was illegally dumped, their unsatisfactory waste storage, and their lack of a trade waste contract, showed a serious breach of the businesses 'duty of care' in relation to their waste under section 34 Environment Protection Act 1990. A prosecution was pending against the business, The Red and Yellow Lion Ltd, but enquiries reveal that Mr. Hashini now has no dealings with the company. Mr. Price, as the manager, has no liability under the legislation.

Mr. Price was given the codes of practice under the legislation which clearly sets out his responsibility with regard to waste from the pub.

On the 8th July 2013 a complaint was received regarding a large amount of tyres dumped on the ground of The Red lion. I attended the scene and found in excess of 50 tyres stacked within the grounds of the pub, which appeared to be stored, image attached. The pub seemed as though it had been closed for a while.

Signature :

Signature Witness By :

CONFIDENTIAL INFORMATION

Contact Address : WBC Town Hall

Post Code : WD17 3EX

Contact No. H :

Contact No. W : 01923 278241

Inconvenient Court Dates :

continuation of statement of: Philip White

I contacted Mr. Price who stated he was still managing the Pub, although it wasn't trading at the time. He said he knew nothing of the tyres, stating they had been flytipped, although he did not report this to the council.

He said he would he would arrange clearance of the tyres by 19.8.2013. I explained his 'duty of care' in relation to the disposal of the tyres, that they must be removed by a licensed waste carrier, and that he must obtain waste transfer notes which show what the waste is, who is carrying the waste, where it has come from, and where it is going.

On 13.8.2013 my colleague was passing The Red Lion where she saw that more tyres had been added and Mr. Price was in attendance with his van, which had tyres to it's rear. Image attached.

The tyres were still in situ on 19.8.13, and Mr. Price stated he had problems contracting a licensed waste carrier, but assured me they would be moved over the August bank holiday. The tyres were still in situ on 28th August 2013.

On 30.8.13, I served a litter & refuse clearing notice, under Environmental Protection Act 1990 section 92 A (1) on The Yellow and Red Lion Ltd, by post, requiring them to clear the site within 28 days. As a result of this notice, I received a phone-call from Mr. Laurence Bassini. 07584778477, confirming he had received the notice. He confirmed he held the free-hold to The Red Lion, and that it was now leased to Josh Price. He stated he had already given Mr. Price £500 to clear the tyres, but would make sure the tyres were cleared by 9.9.13 and the open area secured.

I do believe that these tyres were being stored illegally with Mr. Price's full knowledge, despite the fact he stated they had been flytipped.

I do have concerns about Mr. Price's ability or desire to legally manage waste at these premises.

Signature :

Signature Witness By :

APPENDIX 3

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APPENDIX 3

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