

Lincolnshire man prosecuted for illegal waste activities

A Lincolnshire man has been given a suspended prison sentence and his van and funds confiscated at Lincoln Crown Court, for storing and burning waste illegally at a site in Holbeach – despite repeated warnings from the Environment Agency.

Simon Mason, 51, of Bens Gate Road, Holbeach, Lincolnshire, was found to have burned a variety of waste at his property, without an environmental permit or registered waste exemption. He was also found to be storing more than 600 fridges at the site.

Some 700 cubic metres of waste were discovered at the site by Environment Agency officers

Mason's 8 month sentence was suspended for 2 years on condition he completes 250 hours of unpaid work and complies with a 3 month, 7pm to 7am curfew. His available assets of £8,317 were ordered to be confiscated after it was calculated he benefited from his illegal waste activities by £144,000. No order was made for costs because of Mason's limited means.

A registered waste carrier, Mason told Environment Agency officers that he had operated a waste business at the site for a number of years. He collected waste from house clearances and was paid by an electrical store to take away waste fridges. He burned some of the waste and stored the rest at his property.

Mason burned waste at the site, including fridges, which are classed as hazardous material and require special disposal

Officers visited the site on 6 occasions, beginning in April 2018, and told Mason verbally and in writing to stop bringing waste to the site and burning it. They also told him to take the waste to an authorised waste site for recycling or disposal, and later issued him with statutory notices. However, on returning to the site, they found more waste had been brought to the site and burned.

Rubbish observed at the site during the multiple visits included household waste, furniture, mattresses, clothing, paint cans, toilets, televisions and numerous fridges. Some of the rubbish had been burned, prompting neighbours to complain about the smoke generated. Fridges are classed as hazardous waste and require specialist disposal.

Environment Agency Senior Lawyer Sarah Dunne said:

By November 2018, the Environment Agency's patience was largely exhausted. Officers attended at the site and found 634 fridges and over 700 cubic metres of other waste.

Judge John Pini QC told Mason:

You started running this waste disposal business. You went into it with staggering naivety. It's pretty obvious to absolutely anybody that you can't dispose of this waste by burning it, putting toxic fumes into the environment. I fail to understand why you did not grasp that.

Reminding Mason that he was operating what he knew to be an illegal business throughout 2019 and 2020, Judge Pini warned him that he would be imprisoned if he repeated his illegal activity.

Helen Clayton from the Environment Agency's Waste North Team said:

Storing and burning waste in this way saved the cost of legal disposal and put the environment at real risk. This result should serve as a warning for others that we take illegal waste activity extremely seriously and we will take enforcement action against those who flout the law.

Despite our advice, Mr Mason showed a deliberate disregard for the law and we welcome this sentence, which sends a powerful message to anyone in Mr Mason's position that waste crime will not pay.

Environment Agency officers attending the site in November 2018 found 634 fridges being stored

Notes for editors

Simon Mason was prosecuted for operating a facility for the deposit, treatment and storage of waste between September 2015 and February 2021, contrary to Regulations 12 and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2016.

He was also prosecuted for the disposal of controlled waste in a manner likely to cause pollution of the environment or harm to human health between April 2018 and February 2021, contrary to Section 33(1)(c) and (6) of the Environmental Protection Act 1990 as amended.