

Press release: Illegal waste site and exports uncovered

On Tuesday 28 March, following a two-day trial, magistrates found company director, Mark Paul Stone, and his company, Salhouse Norwich Ltd, guilty of allowing an illegal waste site to operate from a site it owned.

A third defendant, Mark Ian Quinsey, pleaded guilty at an earlier hearing to running the illegal operation, failing to clear the site when told to by the Environment Agency, and illegally exporting waste. Yesterday he was sentenced to 20 weeks custody which has been suspended for 18 months, and ordered to carry out 200 hours of unpaid work.

Norwich Magistrates' Court heard that hundreds of tonnes of waste mattresses and mattress textiles were found stored on the site – almost 100 times as many as a registered exemption for the operation allowed.

Stone denied knowing that the waste site, off Rice Way on Salhouse Industrial Estate, run by their tenant, Quinsey, was illegal.

Quinsey, 39, trading as Salhouse Recyclers, had registered exemptions for an operation far smaller than the one he ran and should have applied for a permit.

Nicholas Ostrowski, prosecuting on behalf of the Environment Agency (EA), told the court that he had deliberately breached environmental regulations and despite being served an enforcement notice to clear the site, had failed to do so.

Mr Ostrowski said when EA investigators visited the site in August 2015 following a report from a member of the public, they found the site so jammed full of badly stored mattresses and mattress textiles, there was a serious risk to the environment. The fire service was also concerned about the risk of fire.

It was heard that during investigations Quinsey sent paperwork to the EA, which included evidence of a shipment of 27 compressed bales of waste to Egypt for recycling in March the previous year. However Quinsey did not have the appropriate approvals in place for this export.

The court was told that an enforcement notice served on Quinsey in August was only partly complied with when some waste metals were removed.

The EA also approached Salhouse Norwich Ltd and Stone, who were advised to clear the site and an action plan for the removal of the waste was requested but the waste still remains on site.

The magistrates were told the EA made five requests for a voluntary action plan from the company.

Quinsey of The Lane, Briston, Norfolk, told investigators he had found a company in Egypt which would take the fabric for recycling but then there was a problem with Egyptian customs so he had to store the material until he found another outlet, which he was unable to find.

He didn't contact the EA as he was worried his business would be closed down and had hoped to resolve the situation himself.

Quinsey admitted that the site had no environmental management system, no fire suppression system, no fire detection system, no dust suppression system, no litter prevention infrastructure nor sealed drainage system. He also admitted having no insurance for his activities and no official lease on one of the buildings he used.

He said the business had left him in debt, claiming that it grew too quickly. He admitted he probably hadn't done enough research.

Stone, 69, from Marleybone High Street, London, told investigators that Quinsey had said he had relevant permissions to carry out the waste operation. No checks were made to ensure these permissions were in place.

He said his company had concerns about the fire risk and were "horrified" by all the waste on site but were worried if they asked Quinsey to stop operating, he would leave them with a factory full of waste. He also admitted being aware that the operation was out of hand and perhaps should never have started.

An analytical chemist for the EA concluded that any plume from a fire at the site could contain toxic and harmful substances which could affect human health.

Mr Ostrowski said Quinsey, Stone and Salhouse Norwich Ltd had co-operated with the investigation and Quinsey had removed some waste from the site.

Quinsey pleaded guilty to operating a waste facility without a permit, failing to comply with an enforcement notice and exporting waste to Egypt without the appropriate permissions in place. He was sentenced to a total of 20 weeks custody which has been suspended for 18 months, 200 hours of unpaid work and ordered to pay a contribution to costs of £720. He was also ordered to pay a victim surcharge of £115.

Following trial Stone and Salhouse Norwich Ltd were found guilty of knowingly permitting the operation of a waste facility without a permit. Stone and Salhouse Norwich Ltd will be sentenced on 5 May following a pre-sentence report.

After the hearing Environment Agency investigator Lorraine Machin said:

We acted quickly to try to get the occupier and landowner to clear the site because of the environmental and fire risk but the majority of the waste still remained on site.

This case shows how important it is to ensure that any new operation has been fully researched, properly permitted and any site used is adequate for the operation.

Mark Ian Quinsey pleaded guilty to:

1. Between 16 August 2015 and 28 October 2015 at land off Rice Way, Salhouse Industrial Estate, Norwich NR7 9AP, you did operate a regulated facility, namely a waste operation for the treatment and storage of waste, without being authorised by an environmental permit granted under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010.

Contrary to Regulation 12(1)(a) and 38(1)(a) of the Environmental Permitting (England and Wales) Regulations 2010

1. You failed, without reasonable excuse, by 8 January 2016, to comply with all the requirements in a notice dated 24 August 2015 and served on 24 August 2015 pursuant to section 59 (1)(a) of the Environmental Protection Act 1990 to remove controlled waste from land occupied by you at the date of service of the said notice known as land off Rice Way, Salhouse Industrial Estate, Norwich NR7 9AP in the county of Norfolk.

Contrary to section 59 (5) Environmental Protection Act 1990

1. On 7 March 2014 and by virtue of Article 37 of the European Waste Shipment Regulation EC 1013/2006, you transported waste namely waste textiles to Egypt, a country to which the OECD decision does not apply as listed in the Annex to EC Commission Regulation 1418/2007

Contrary to Regulation 23A(2) and 58 of the Transfrontier Shipment of Waste Regulations 2007

Mark Paul Stone was found guilty of:

Between 24 August 2015 and 8 June 2016 on land off Rice Way, Salhouse Industrial Estate, Norwich NR7 9AP, Salhouse Norwich Limited did, with your consent or connivance or attributable to neglect on your part as a director of Salhouse Norwich Limited, knowingly permitted the operation of a regulated facility, namely a waste operation for the storage of waste, without being authorised by an environmental permit granted under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010

Contrary to Regulation 12(1)(a), 38(1)(b) and 41(1)(a) and (b) Environmental Permitting (England and Wales) Regulations 2010

Salhouse Norwich Ltd was found guilty of:

Between 24 August 2015 and 8 June 2016 at land off Rice Way, Salhouse Industrial Estate, Norwich NR7 9AP, you did knowingly permit the operation of a regulated facility, namely a waste operation for the storage of waste, without it being authorised by an environmental permit granted under

Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010.

Contrary to Regulation 12(1)(a) and 38(1)(b) of the Environmental Permitting (England and Wales) Regulations 2010