

Press release: Northumberland fire starter fined

A man who deliberately set fire to buildings on his land to avoid demolition costs has been sentenced to 10 months imprisonment, suspended for 18 months, and ordered to pay over £24,000 in fines and costs after a successful prosecution by the Environment Agency.

The flames from the blaze took fire rescue services four hours to extinguish and the distraction also caused two motorists on the nearby A1 to crash.

Nigel Weston Smith (63), owner of Whittle Colliery in Shilbottle, Northumberland, was charged with waste offences at Newcastle Crown Court on 14 May, 2018. He was sentenced to 10 months imprisonment, suspended for 18 months, fined £14,000 and ordered to pay £10,745.45 costs.

The court heard that Smith, constructed a two storey building at Whittle Colliery without planning permission and was ordered by Northumberland County Council (NCC) to demolish it.

After receiving a fine of £3,000 and a further NCC enforcement notice to remove the building, Smith decided to burn the building rather than pay to have it demolished.

In March 2014 he offered the site as a training venue to Northumberland Fire & Rescue Service (NFRS), suggesting the building could be set on fire. When NFRS rejected the offer on the grounds that the fire would be too big, it was not a controlled environment and there was inadequate water supply, Smith decided to burn it illegally.

On 5 March he advised NFRS that he was demolishing a large cabin and would burn timber and waste in small amounts. NFRS received three separate reports from members of the public concerned about the fire.

Smith called NFRS again on 20 March saying he intended to burn wood and timber from parts of a building. He stated he lived on site, had adequate water supply and he would not burn if the wind was blowing in the direction of the A1.

At 8.30 that evening, two motorists driving northbound on the A1 were distracted by flames and smoke from a large fire. Both were injured in a collision as the first slowed to call 999 and the second collided into the rear of the first.

It took NFRS four hours to extinguish the fire, which produced a significant amount of smoke raising concerns that the fire would spread. Smith had fled the scene.

Smith was described by Judge Robert Spragg as 'breathtakingly arrogant' by ignoring repeated requests from planning officers to remove the building. He

added that Smith only escaped an outright custodial sentence by a narrow margin.

In mitigation, Smith stated that the remains of the building had now been removed at his own cost and that he regrets his actions.

Rachael Caldwell, Environment Agency, said:

Smith showed complete disregard for environmental laws because he wanted to cut corners and save himself the cost of demolishing a building legally – a building that shouldn't have been there in the first place. It is fortunate that no one was killed by his recklessness. We're pleased with the result of this case and hope this sends a message to anyone out there that thinks they can circumnavigate environmental laws, especially in such a dangerous manner.