

Press release: Waste offences fine for Sunderland man

Malcolm George Holmes, who was acting on behalf of the landowner, was given four weeks to clear the illegal waste at Sheepfolds Road after it was abandoned by the tenant.

Malcolm George Holmes of Vicarsholme Close was due to stand trial on 9 January 2018 at South Tyneside Magistrates' Court on charges that he failed to supply paperwork concerning the removal of waste. He pleaded guilty and was fined £990 with £2,010 costs.

Prosecuting on behalf of the Environment Agency, Chris Bunting told the court that in 2016 Environment Agency officers were investigating illegal waste activities on land at Sheepfolds Road, Sunderland, close to the Stadium of Light.

Acting as a property consultant, Holmes had found a tenant for the land on behalf of the landlord. The tenant went on to illegally dump and burn mixed waste on the site.

In May 2016, the landowner was given four weeks to clear the waste after it was abandoned by the tenant. During a meeting with officers, Holmes, who continued to act on behalf of the landowner, was given clear instructions that he must retain all waste transfer notes. Waste transfer notes provide proof that waste is disposed of legally via a licensed operator.

Although the site was cleared of waste, Holmes failed to supply the waste transfer notes, didn't respond to a statutory notice requesting the missing documentation and, in court, Holmes admitted he never had the paperwork. The location of the waste, and whether it was legally disposed of, remains unknown.

Rachael Caldwell from the Environment Agency said:

Environmental laws are there to protect communities and the environment from pollution. Businesses getting rid of waste have a legal duty of care to show their waste has been correctly and legally disposed of.

We hope this case demonstrates the importance of environmental compliance. Anyone who breaks the rules will be pursued, and where repeated or significant breaches are found, we will prosecute.

In December, the former tenant of the site pleaded guilty to his part in the case and was ordered to pay a total of £1,730 in fines & costs.