

Stockton waste boss ordered to repay £800,000

Andrew Mark Bainbridge (52) of Harlsey Road, Stockton on Tees, was the Managing Director and sole share-owner of Auckland Environmental Services Limited (AES) when it was investigated by the Environment Agency in 2016 for waste offences.

For consenting to the unlawful deposits of waste by AES Ltd, he received a 15 month custodial sentence suspended for two years. For consenting to the making of false or misleading information by AES Ltd, he received a 12 month custodial sentence suspended for two years. The two sentences will run concurrently.

Bainbridge must also undertake 200 hours of unpaid work and perform a rehabilitation activity. He was disqualified from acting as a company director for six years.

Sentencing follows confiscation hearing

Sentencing follows a Proceeds of Crime Act confiscation hearing on 7 October, 2021, in which Bainbridge was handed a confiscation order for £806,786.79. He was told to repay the total sum of his current assets which amounts to £275,833.16 by 7 January 2022 or risk a default custodial sentence of 2½ years. The remainder of the confiscation order will remain as a debt against the director until it is satisfied.

The company, now in liquidation, which operated from a site at 2/3 Bowsfield Lane, Stockton on Tees, Cleveland, was found to have engaged in criminal activity between June 2014 and February 2016, by mis-describing waste it deposited at landfill for significant financial gain.

The company was investigated by the Environment Agency after it was found to be storing waste materials on site without an appropriate environmental permit. This included waste that the company had purposefully mis-described, allowing AES to dispose of the material at a lower rate of landfill tax.

Environment Agency spokesperson John Crawl said:

The savings were substantial. Between December 2014 and February 2016 approximately 3,510 tonnes of waste were deposited at the landfill site at a cost £9,055 when it should have cost £288,085.

Further, by operating without an environmental permit, Bainbridge, through the company, sought to avoid complying with operating conditions that were necessary to protect the public and the environment from harm. This represented a further financial advantage to the company and further undermined legitimate local

waste operators and jobs.

Committed offending deliberately

The court found that Bainbridge had committed the offending deliberately and there had been a major undermining of the regulatory regime as a result. In mitigation the court heard Mr Bainbridge had not committed any further offences, represented a low risk of re-offending and had caring responsibilities.

John Crowl added:

We take a hard line against anyone that intentionally sets out to profit from defrauding systems designed to protect people and the environment. We work hard to prevent and disrupt waste crime, working alongside partners in the Joint Unit for Waste Crime including the government, police forces and local councils.

We welcome this sentence and Confiscation Order by the judge which should act as a deterrent to others that might consider flouting the law. It shows that waste crime does not pay.

Both AES and Bainbridge have previous convictions for environmental offences committed in August/September 2013. In February 2015 the company and Bainbridge were convicted of operating without an environmental permit and fined £7,800 and £520 respectively.