

Waste criminal to pay £22,555 after depositing illegal waste

The Environment Agency has successfully prosecuted Michael Shilling. He was fined £4,500 and ordered to pay £6,779 costs, a £190 victims' surcharge and £11,086 compensation to Iron Mountain (UK) PLC, at Sevenoaks Magistrates Court. A total of £22,555. The magistrate took into account his guilty plea during sentencing.

Mr Shilling, 61, of Raspberry Hill Park Farm, Iwade, Kent, pleaded guilty to controlling, or being in a position to control the use of, a Scania skip loader. He also pleaded guilty to knowingly causing waste to be unlawfully deposited at Gills Terrace, Otterham Quay Lane in Rainham Kent. The site owned by Iron Mountain (UK), on 14 December 2020.

Image shows a night view of the front of the truck with the driver's door open. The time and date can be seen at the top of the picture

Matt Higginson, Environment Manager for the Environment Agency, said:

This prosecution and the seizure and crushing of the vehicle shows that we will search out and prosecute anyone found to be dumping waste illegally.

Illegally depositing waste without regard for the environment and the law has the potential to harm our natural resources. It is also a blight on communities and undermine the legitimate businesses that follow the rules. You won't get away with it.

We encourage everyone to check that their waste collector is registered as a waste carrier.

On 22 December 2020, an Environment Agency officer was made aware that waste had been deposited at the land at Otterham Quay Lane. On 8 January 2021, the officer received more information, including CCTV footage. The footage showed that Mr Shilling's vehicle entered the site 3 times on the evening of 14 December.

Employee of Iron Mountain (UK) reported the dumped waste, which was smouldering, when he arrived for work on 15 December 2020.

The waste found on site was shredded material comprising plastics, paper, mattress fabric and fibre. An employee of Iron Mountain (UK) made a statement saying the waste was smouldering when he arrived at work at the site on 15

December 2020.

On 25 February 2021, an Environment Agency officer, accompanied by Kent Police, visited Raspberry Hill Park, near Iwade, Kent. They located the lorry used on 14 December to deposit the waste. The Environment Agency and Kent Police seized and crushed the vehicle for alleged waste offences.

[Check a waste collector is registered as a waste carrier](#)

Mr Shilling's date of birth is 29 March 1961.

The Legislation – The Environmental Protection Act 1990

Section 33 Prohibition on unauthorised or harmful depositing, treatment or disposal, etc, of waste

(1) Subject to subsection (2) [, (2B)] and (3) below [subsections (1A), (1B), (2) and (3) below] and, in relation to Scotland, to section 54 below, a person shall not:

(a) deposit controlled waste [or extractive waste], or knowingly cause or knowingly permit controlled waste [or extractive waste] to be deposited in or on any land unless a waste management licence [an environmental permit] authorising the deposit is in force and the deposit is in accordance with the licence [the permit];

Section (5) states that Where controlled waste is carried in and deposited from a motor vehicle, the person who controls or is in a position to control the use of the vehicle shall, for the purposes of subsection (1)(a) above, be treated as knowingly causing the waste to be deposited whether or not he gave any instructions for this to be done.

Waste crime is a major issue across the country, not only spoiling our environment and impacting on our health. It also effects the economy and undermines legitimate businesses. The Environmental Services Association have estimated that illegal waste activity costs over £1 billion annually in England.

Waste crime is much more than fly tipping. It also includes operating without the correct permits and authorisations. It is large scale illegal dumping, burning of waste, mis-description of waste, operating illegal waste sites and illegally exporting waste.

Waste criminals are becoming more sophisticated by working in a more organised manner and infiltrating legitimate industry. They operate across county boundaries and they are likely to be involved in a wide variety of other criminal activity. Such as drugs trafficking, modern slavery, firearms and fraud.