STATUTORY INSTRUMENTS

2015 No. 324

ENVIRONMENTAL PROTECTION, ENGLAND

The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2015

Made - - - -	*16th February 2015*
Coming into force - -	*6th April 2015*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2 of, and Schedule 1 to, the Pollution Prevention and Control Act 1999(**1**) and section 62 of the Regulatory Enforcement and Sanctions Act 2008(**2**).

The Secretary of State has, in accordance with section 2(4) of the Pollution Prevention and Control Act 1999, consulted—

(a) the Environment Agency;

(b) such bodies or persons appearing to the Secretary of State to be representative of the interests of local government, industry, agriculture and small businesses as the Secretary of State considers appropriate; and

(c) such other bodies or persons as the Secretary of State considers appropriate.

In accordance with section 66 of the Regulatory Enforcement and Sanctions Act 2008, the Secretary of State is satisfied that the Environment Agency will act in accordance with the principles referred to in section 5(2) of that Act in exercising the powers in these Regulations.

A draft of this instrument has been approved by a resolution of each House of Parliament pursuant to section 62 of the Regulatory Enforcement and Sanctions Act 2008.

Citation, commencement and application

1. These Regulations—

(a) may be cited as the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2015;

(b) come into force on 6th April 2015; and

(c) apply in relation to England only.

(**1**) 1999 c. 24. Section 2 was amended by section 62(13) of the Water Act 2014 (c. 21) and by S.I. 2013/755. Schedule 1 was amended by section 38 of the Waste and Emissions Trading Act 2013 (c. 33) and section 105(1) of the Clean Neighbourhoods and Environment Act 2005 (c. 16) and by S.I. 2005/925, 2011/1043 and 2012/2788.

(**2**) 2008 c. 13.

Amendments to the Environmental Permitting (England and Wales) Regulations 2010

2.—(1) The Environmental Permitting (England and Wales) Regulations 2010(**3**) are amended as follows.

(2) In regulation 2(1), after the definition of "enforcement notice", insert—

""enforcement undertaking" has the meaning given in paragraph 1(2) of Schedule 23A;".

(3) After regulation 44, insert—

"**Enforcement undertakings**

44A. Schedule 23A (enforcement undertakings) has effect.".

(4) After Schedule 23, insert the new Schedule 23A contained in the Schedule to these Regulations.

(5) In paragraph 1(2)(a) of Schedule 24, after "formal caution for", insert ", or enforcement undertaking accepted in relation to,".

Dan Rogerson
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

16th February 2015

(**3**) S.I. 2010/675, amended by S.I. 2011/988; there are other amending instruments but none is relevant.