SCHEDULE 3

Regulation 15

REGISTERS

A register maintained by an enforcing authority under section 78R shall contain full particulars of the following matters–

Remediation notices

1. In relation to a remediation notice served by the authority–

(a) the name and address of the person on whom the notice is served;

(b) the location and extent of the contaminated land to which the notice relates (in this paragraph referred to as the "contaminated land in question"), sufficient to enable it to be identified whether by reference to a plan or otherwise;

(c) the significant harm or pollution of controlled waters by reason of which the contaminated land in question is contaminated land;

(d) the substances by reason of which the contaminated land in question is contaminated land and, if any of the substances have escaped from other land, the location of that other land;

(e) the current use of the contaminated land in question;

(f) what each appropriate person is to do by way of remediation and the periods within which they are required to do each of the things; and

(g) the date of the notice.

Appeals against remediation notices

2. Any appeal against a remediation notice served by the authority.

3. Any decision on such an appeal.

Remediation declarations

4. Any remediation declaration prepared and published by the enforcing authority under section 78H(6).

5. In relation to any such remediation declaration–

(a) the location and extent of the contaminated land in question, sufficient to enable it to be identified whether by reference to a plan or otherwise; and

(b) the matters referred to in sub-paragraphs (c), (d) and (e) of paragraph 1 above.

Remediation statements

6. Any remediation statement prepared and published by the responsible person under section 78H(7) or by the enforcing authority under section 78H(9).

7. In relation to any such remediation statement–

(a) the location and extent of the contaminated land in question, sufficient to enable it to be identified whether by reference to a plan or otherwise; and

(b) the matters referred to in sub-paragraphs (c), (d) and (e) of paragraph 1 above.

Appeals against charging notices

8. In the case of an enforcing authority, any appeal under section 78P(8) against a charging notice served by the authority.

9. Any decision on such an appeal.

Designation of special sites

10. In the case of the Environment Agency, as respects any land in relation to which it is the enforcing authority, and in the case of a local authority, as respects any land in its area,–

(a) any notice given by a local authority under subsection (1)(b) or (5)(a) of section 78C, or by the Secretary of State under section 78D(4)(b), which, by virtue of section 78C(7) or section 78D(6) respectively, has effect as the designation of any land as a special site;

(b) the provisions of regulation 2 or 3 by virtue of which the land is required to be designated as a special site;

(c) any notice given by the Environment Agency under section 78Q(1)(a) of its decision to adopt a remediation notice; and

(d) any notice given by or to the enforcing authority under section 78Q(4) terminating the designation of any land as a special site.

Notification of claimed remediation

11. Any notification given to the authority for the purposes of section 78R(1)(h) or (j).

Convictions for offences under section 78M

12. Any conviction of a person for any offence under section 78M in relation to a remediation notice served by the authority, including the name of the offender, the date of conviction, the penalty imposed and the name of the Court.

Guidance issued under section 78V(1)

13. In the case of the Environment Agency, the date of any guidance issued by it under subsection (1) of section 78V and, in the case of a local authority, the date of any guidance issued by the Agency to it under that subsection.

Other environmental controls

14. Where the authority is precluded by virtue of section 78YB(1) from serving a remediation notice–

(a) the location and extent of the contaminated land in question, sufficient to enable it to be identified whether by reference to a plan or otherwise;

(b) the matters referred to in sub-paragraphs (c), (d) and (e) of paragraph 1 above; and

(c) any steps of which the authority has knowledge, carried out under section 27, towards remedying any significant harm or pollution of controlled waters by reason of which the land in question is contaminated land.

15. Where the authority is precluded by virtue of section 78YB(3) from serving a remediation notice in respect of land which is contaminated land by reason of the deposit of controlled waste or any consequences of its deposit–

(a) the location and extent of the contaminated land in question, sufficient to enable it to be identified whether by reference to a plan or otherwise;

(b) the matters referred to in sub-paragraphs (c), (d) and (e) of paragraph 1 above; and

(c) any steps of which the authority has knowledge, carried out under section 59, in relation to that waste or the consequences of its deposit, including in a case where a waste collection authority (within the meaning of section 30(3)) took those steps or required the steps to be taken, the name of that authority.

16. Where, as a result of a consent given under Chapter II of Part III of the Water Resources Act 1991 (pollution offences)(**1**), the authority is precluded by virtue of section 78YB(4) from specifying in a remediation notice any particular thing by way of remediation which it would otherwise have specified in such a notice,–

(a) the consent;

(b) the location and extent of the contaminated land in question, sufficient to enable it to be identified whether by reference to a plan or otherwise; and

(c) the matters referred to in sub-paragraphs (c), (d) and (e) of paragraph 1 above.

(**1**) 1991 c. 57.