
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 348

The Water Environment (Controlled
Activities) (Scotland) Regulations 2005

PART V

Enforcement and other powers

Power of SEPA to carry out works

29.—(1) Where SEPA considers that a notice should be served under regulation 28(2), it shall be entitled to take any steps that would be identified in that notice, or secure that those steps are taken, if—

- (a) it considers it necessary to do so forthwith; or
- (b) it appears to SEPA, after reasonable inquiry, that no person can be found on whom to serve that notice.

(2) Where SEPA has—

- (a) carried out, or secured the carrying out of, any investigation to establish whether or not a notice under regulation 28(2) is necessary, and if necessary, on whom it requires to be served; or
- (b) taken steps, or secured that steps were taken under paragraph (1),

it shall be entitled to recover the costs of doing so from the responsible person or operator who has carried out, is carrying out or is likely to carry out the activity in respect of which the notice is served.