

SCHEDULE 2

FURTHER ENFORCEMENT MEASURES

Final notice

6.—(1) Where SEPA decides, pursuant to paragraph 5(1)(a), to impose a further enforcement measure on a reservoir manager (by notice under paragraph 1), the restoration notice or restraint notice (the “final notice”) which is to impose that further enforcement measure must—

- (a) be given by SEPA to the reservoir manager; and
- (b) include information as to—
 - (i) the grounds for imposing the further enforcement measure;
 - (ii) rights of appeal; and
 - (iii) the consequences of non-compliance.

(2) SEPA may not give a final notice if the permitted period has expired.

(3) In sub-paragraph (2), “the permitted period” is the period of 6 months beginning with the day after the final day on which written representations may be made in relation to the notice of intent which was given in relation to the further enforcement measure in question.

(4) The permitted period may be extended by agreement in writing between SEPA and the reservoir manager to whom the notice of intent was given.