
STATUTORY INSTRUMENTS

2016 No. 1042

**The Pollution Prevention and Control (Fees)
(Miscellaneous Amendments) (No. 2) Regulations 2016**

Amendment of the Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015

2. The Pollution Prevention and Control (Fees) (Miscellaneous Amendments and other Provisions) Regulations 2015(1) are amended as follows.

(1) After regulation 5, insert—

“Fees relating to consents to locate

5A.—(1) The Secretary of State may charge fees, calculated in accordance with regulation 7, in connection with—

- (a) giving, refusing, varying, renewing, transferring, surrendering or revoking a consent to locate;
- (b) monitoring compliance with—
 - (i) the requirements of Part 4A of the EA; and
 - (ii) a consent to locate;
- (c) serving an emergency safety notice under section 82F of the EA;
- (d) revoking the requirements of an emergency safety notice under section 82G(8) of the EA; and
- (e) providing advice with respect to—
 - (i) an application or potential application for a consent to locate;
 - (ii) the variation, renewal, transfer, surrender or revocation of a consent to locate;
 - (iii) the service of an emergency safety notice under section 82F of the EA; and
 - (iv) the revocation of the requirements of an emergency safety notice under section 82G(8) of the EA.

(2) In this regulation—

- (a) “the EA” means the Energy Act 2008; and
- (b) “a consent to locate” means a consent under section 82A of the EA.”.

(2) For regulation 6, substitute—

“Fees relating to certain marine licences

6.—(1) This regulation applies where the Secretary of State’s functions referred to in paragraph (2) relate to oil and gas activities⁽²⁾ for which a marine licence is needed under Part 4 of the MCAA.

(2) The Secretary of State may charge fees, calculated in accordance with regulation 7, in connection with—

- (a) granting, refusing, varying, transferring, surrendering, suspending or revoking a marine licence;
- (b) monitoring compliance with—
 - (i) the requirements of Part 4 of the MCAA; and
 - (ii) a marine licence;
- (c) issuing or renewing a stop notice under section 102 of the MCAA, and varying or revoking a stop notice under section 103 of the MCAA;
- (d) issuing an emergency safety notice under section 104 of the MCAA, and varying or revoking an emergency safety notice under section 105 of the MCAA; and
- (e) providing advice with respect to—
 - (i) an application or potential application for a marine licence;
 - (ii) the variation, transfer, surrender, suspension or revocation of a marine licence;
 - (iii) the issue or renewal of a stop notice under section 102 of the MCAA, and the variation or revocation of a stop notice under section 103 of the MCAA; and
 - (iv) the issue of an emergency safety notice under section 104 of the MCAA, and the variation or revocation of an emergency safety notice under section 105 of the MCAA.

(3) In this regulation “the MCAA” means the Marine and Coastal Access Act 2009.”.

(2) See section 110A(5) and (6) of the MCAA for the definition of “oil and gas activities”.