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STATUTORY INSTRUMENTS

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**1996 No. 508**

**ENVIRONMENTAL PROTECTION**

**The Environmental Licences (Suspension  
and Revocation) Regulations 1996**

<i>Made</i>	- - - -	<i>29th February 1996</i>
<i>Laid before Parliament</i>		<i>8th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of powers conferred on him by section 41(6) and (10) of the Environment Act 1995<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Environmental Licences (Suspension and Revocation) Regulations 1996 and shall come into force on 1st April 1996.

**Interpretation**

2. In these Regulations—

“holder” in relation to an environmental licence means the person liable to pay any charges due and payable in respect of the subsistence of that licence.

**Notice demanding payment**

3. The appropriate procedure, where a new Agency proposes to suspend or revoke an environmental licence under section 41(6) of the Environment Act 1995, is as follows—

- (a) before taking any action under regulation 5 below to suspend or revoke an environmental licence, the new Agency shall first serve on the holder of the environmental licence a notice demanding payment within twenty-eight days after the service of the notice of any charges due and payable in respect of the subsistence of the licence; and
- (b) the new Agency shall allow the period of twenty-eight days to expire before taking further action to suspend or revoke the environmental licence.

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(1) 1995 c. 25.

#### **Contents of notice demanding payment**

4. A notice demanding the payment of any charges which is served for the purposes of regulation 3 shall state—

- (a) that the environmental licence may be suspended or revoked if the charges are not paid within twenty-eight days after the service of the notice; and
- (b) the effect of suspension or revocation.

#### **Notice of suspension or revocation**

5.—(1) Suspension or revocation of a licence under section 41(6) of the Environment Act 1995 shall be effected by the service of a notice of suspension or revocation on the holder of the environmental licence.

(2) A notice of suspension or revocation shall—

- (a) set out the reason for the suspension or revocation and the date and time at which it will take effect; and
- (b) in the case of a suspension of an environmental licence, set out the circumstances in which the suspension may be lifted.

Signed by authority of the Secretary of State

29th February 1996

*James Clappison*  
Parliamentary Under Secretary of State,  
Department of the Environment

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations set out the procedure whereby new Agencies, that is, the Environment Agency and the Scottish Environment Protection Agency, “SEPA”, can seek the suspension or revocation of environmental licences where charges due and payable in respect of the subsistence of such licences remain unpaid.

Environmental licences are defined in section 56(1) of the Environment Act 1995, by reference to the environmental legislation applicable to the Environment Agency and to SEPA.