
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Water Environment (Controlled
Activities) (Scotland) Regulations 2011

PART II

Authorisations

Power of SEPA to impose authorisation

10.—(1) If it appears to SEPA that a person is carrying on (or is likely to carry on) a controlled activity—

- (a) which has not been authorised under regulations 7 or 8;
- (b) authorised under regulation 6, but that additional measures are necessary to protect the water environment;
- (c) authorised under regulation 7 but that it should be authorised under regulation 8;
- (d) authorised under regulation 8 but that it should be authorised under regulation 7,

SEPA may treat the activity as an activity in respect of which an application has been made, and may, as it thinks fit, grant an authorisation under regulation 7 or 8.

(2) If SEPA decides to treat an activity as an activity in respect of which an application has been made—

- (a) the charge referred to in regulation 11(1)(a) is payable, and
- (b) the remaining provisions of Part III apply as if such an application had been made.

(3) SEPA must give notice to the responsible person, if any, or to the operator that it is treating the activity in accordance with paragraph (1).