

SCHEDULE 3

EXPENSES RECOVERY NOTICES

Expenses recovery notices

1.—(1) SEPA may by notice (an “expenses recovery notice”) require a reservoir manager to whom a stop notice is given or on whom a further enforcement measure is imposed, to pay the amount of any expenses reasonably incurred by SEPA in relation to (and up to the time of) the giving of the notice or (as the case may be) imposition of the measure.

(2) In sub-paragraph (1), “expenses” include in particular—

- (a) investigation expenses;
- (b) administration expenses; and
- (c) expenses of obtaining expert advice (including legal advice).

(3) The expenses recovery notice must be given by SEPA to the reservoir manager.

(4) The expenses recovery notice must specify—

- (a) the grounds for giving the notice;
- (b) the amount to be paid;
- (c) how this payment may be made;
- (d) the period within which the payment must be made;
- (e) that the reservoir manager to whom the notice is given may request SEPA to provide a detailed breakdown of the amount to be paid (unless such a breakdown was previously given by SEPA to the reservoir manager);
- (f) rights of appeal; and
- (g) consequences of non-payment.

(5) Where a reservoir manager requests SEPA to provide a detailed breakdown of the amount to be paid (and no such a breakdown was previously given by SEPA to the reservoir manager), SEPA must take such steps as are reasonable to ensure that a detailed breakdown of the amount to be paid is given to the reservoir manager within a period of 21 days beginning with the day on which SEPA received the request.