

SCHEDULE 3

Enforcement undertakings

Enforcement undertakings

1.—(1) Where a person offers SEPA an enforcement undertaking, SEPA may accept it in accordance with sub-paragraph (2) or reject it.

(2) SEPA may only accept an enforcement undertaking from a person where SEPA has reasonable grounds to suspect that the person has committed a relevant offence.

(3) An “enforcement undertaking” is an undertaking to take such action of a type mentioned in sub-paragraph (4) and specified in the undertaking within such period as may be so specified.

(4) The types of action are—

- (a) action to secure that the offence does not continue or recur;
- (b) action to secure that the position is, so far as possible, restored to what it would have been if the offence had not been committed; and
- (c) any other action that will secure benefits or improvements to the environment (including the payment of a sum of money to a third party).

(5) In this Schedule, references to taking action specified in an enforcement undertaking include references to refraining from taking such action.