

SCHEDULE 7

ENFORCEMENT NOTICES

Failure to comply with enforcement notice

3.—(1) This paragraph applies where, in relation to an enforcement notice, a person—

- (a) fails to rectify, or (as the case may be) to take steps to prevent the recurrence of, a contravention specified in the notice by the date specified in relation to the contravention under paragraph 1(3)(c); or
- (b) fails to complete a step specified under paragraph 1(3)(d) by a date specified in relation to that step under paragraph 1(4),

(or, in either case, by such later date as the enforcing authority may have substituted under regulation 33(1)(b)).

(2) Where this paragraph applies, the enforcing authority may—

- (a) enter any premises and carry out the work necessary to rectify or prevent the recurrence of the contravention or, as the case may be, to complete the step; and
- (b) recover from the person any expenses which the enforcing authority reasonably incurs in carrying out, or securing the carrying out, of that work.

(3) The expenses which may be recovered under sub-paragraph (2)(b) include such proportion of the enforcing authority's administrative expenses (including expenses incurred in establishing the contravention and in connection with the enforcement notice) as the enforcing authority considers appropriate.