

## SCHEDULES

### SCHEDULE 10

#### DISCHARGE CONSENTS

##### *Consents without applications*

- 5 (1) If it appears to the Authority—
- (a) that a person has caused or permitted effluent or other matter to be discharged in contravention—
    - (i) of the obligation imposed by virtue of section 85(3) of this Act; or
    - (ii) of any prohibition imposed under section 86 of this Act;and
  - (b) that a similar contravention by that person is likely,
- the Authority may, if it thinks fit, serve on him an instrument in writing giving its consent, subject to any conditions specified in the instrument, for discharges of a description so specified.
- (2) A consent given under this paragraph shall not relate to any discharge which occurred before the instrument containing the consent was served on the recipient of the instrument.
- (3) Sub-paragraphs (5) and (6) of paragraph 2 above shall have effect in relation to a consent given under this paragraph as they have effect in relation to a consent given under that paragraph.
- (4) Where a consent has been given under this paragraph, the Authority shall, as soon as practicable after giving it—
- (a) publish notice of the consent, at least once in each of two successive weeks, in a newspaper or newspapers circulating in—
    - (i) the locality or localities in which the places are situated at which discharges may be made in pursuance of the consent; and
    - (ii) the locality or localities appearing to the Authority to be in the vicinity of any controlled waters which it considers likely to be affected by the discharges;
  - (b) publish a copy of that notice in an edition of the London Gazette published no earlier than the day after the publication of the last of the notices to be published by virtue of paragraph (a) above;
  - (c) send a copy of the instrument containing the consent to every local authority within whose area any of the discharges authorised by the consent may occur;
  - (d) in the case of a consent which relates to discharges into coastal waters, relevant territorial waters or waters outside the seaward limits of relevant territorial waters, serve a copy of the instrument containing the consent on each of the Ministers.

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*Status: This is the original version (as it was originally enacted).*

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- (5) It shall be the duty of the Authority to consider any written representations or objections with respect to a consent under this paragraph which are made to it in the period of six weeks beginning with the day of the publication of notice of the consent in the London Gazette and are not withdrawn.
- (6) Where notice of a consent is published by the Authority under sub-paragraph (4) above, the Authority shall be entitled to recover the expenses of publication from the person on whom the instrument containing the consent was served.