
STATUTORY INSTRUMENTS

2016 No. 475

The Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016

Amendment of Schedule 2 (exempt facilities: general)

23.—(1) Schedule 2 is amended as follows.

(2) In paragraph 1, in paragraph (b) of the definition of “registered”, for “or groundwater activity” substitute “, groundwater activity or flood risk activity”.

(3) After paragraph 2(5) add—

“(6) The exemption registration authority in relation to a flood risk activity falling within a description in Part 4 of Schedule 3 is the appropriate agency.”.

(4) After paragraph 5A insert—

“Exempt flood risk activities

5B. An “exempt flood risk activity” is a flood risk activity that—

- (a) falls within a description in Part 4 of Schedule 3;
- (b) satisfies, in relation to an activity of that description, the relevant conditions specified in Part 4 of that Schedule;
- (c) is registered; and
- (d) is an activity in relation to which the operator is registered.”.

(5) After paragraph 6(2) insert—

“(2A) An operator seeking to be registered in relation to a flood risk activity described in Part 4 of Schedule 3 must notify the exemption registration authority of the relevant particulars.”.

(6) In paragraphs 6(3)(a)(ii), 6(3)(b) and 6(3)(c), for “or groundwater activity” substitute “, groundwater activity or flood risk activity”.

(7) In paragraph 7(2)(b), for “or exempt groundwater activity” substitute “, exempt groundwater activity or exempt flood risk activity”.

(8) In paragraph 7(3)(b), for “and exempt groundwater activities” substitute “, exempt groundwater activities and exempt flood risk activities”.