

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675) in relation to England. They provide for the Environment Agency to accept an enforcement undertaking in respect of an offence under regulation 38(1), (2), (4)(a), (5)(a) or (6) of those Regulations, committed in relation to a regulated or exempt facility in England. An enforcement undertaking is an undertaking from a person whom the Environment Agency suspects of having committed an offence to take certain action within a specified period (for example action to secure that the offence does not continue or recur). A person from whom an enforcement undertaking is accepted may not be convicted of the offence to which it relates unless that person fails to comply with the undertaking.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.