
STATUTORY INSTRUMENTS

2015 No. 810

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015

PART 1

Introductory Provisions

Enforcing authorities under [^{F1}the Environmental Permitting (England and Wales) Regulations 2016]

10.—(1) These Regulations are to be enforced in accordance with this regulation if the damage is caused by an activity that requires a permit or registration under [^{F2}the Environmental Permitting (England and Wales) Regulations 2016].

[^{F3}(2) If the Environment Agency or the Natural Resources Body for Wales is responsible for granting the permit, these Regulations are to be enforced—

- (a) if the damage is to marine waters in the Welsh zone, or to a natural habitat or protected species or a site of special scientific interest in those waters, by the Welsh Ministers;
- (b) in any other case, by the Environment Agency.]

(3) If the local authority is responsible for granting the permit—

- (a) Part 2 is to be enforced by [^{F4}a] local authority;
- (b) Part 3 is to be enforced by—
 - (i) the local authority, if the damage is to land;
 - (ii) the Environment Agency, if the damage is to surface water or groundwater;
 - (iii) the Marine Management Organisation, if the damage is to marine waters, or to a natural habitat or protected species or a site of special scientific interest within those waters, out to 12 nautical miles from the baselines in England;
 - [^{F5}(iv) the Secretary of State, if the damage is to marine waters lying beyond 12 nautical miles from the baselines in England, other than any lying in the Welsh zone, or to a natural habitat or protected species or a site of special scientific interest in those waters;]
 - (v) Natural England, if the damage is to a natural habitat or a protected species or a site of special scientific interest on land or in surface water or groundwater.

[^{F6}(vi) the Welsh Ministers, if the damage is to marine waters in the Welsh zone, or to a natural habitat or protected species or a site of special scientific interest, in those waters.]

[^{F7}(4) If a local authority in Wales is responsible for granting the permit, these Regulations are to be enforced—

- (a) if the damage is to marine waters in the Welsh zone, or to a natural habitat or protected species or a site of special scientific interest in those waters, by the Welsh Ministers;

(b) in any other case, by the Environment Agency.

(5) In this regulation, “local authority in Wales” means a county council or a county borough council in Wales.]

Textual Amendments

- F1** Words in reg. 10 heading substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 90(2)** (with regs. 1(3), 77-79, Sch. 4)
- F2** Words in reg. 10(1) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 90(2)** (with regs. 1(3), 77-79, Sch. 4)
- F3** Reg. 10(2) substituted (1.4.2018) by [The Environmental Damage \(Prevention and Remediation\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1177\)](#), regs. 1, **4(2)**
- F4** Word in reg. 10(3) substituted (1.4.2018) by [The Environmental Damage \(Prevention and Remediation\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1177\)](#), regs. 1, **4(3)(a)**
- F5** Reg. 10(3)(b)(iv) substituted (1.4.2018) by [The Environmental Damage \(Prevention and Remediation\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1177\)](#), regs. 1, **4(3)(b)(i)**
- F6** Reg. 10(3)(b)(vi) inserted (1.4.2018) by [The Environmental Damage \(Prevention and Remediation\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1177\)](#), regs. 1, **4(3)(b)(ii)**
- F7** Reg. 10(4)(5) inserted (1.4.2018) by [The Environmental Damage \(Prevention and Remediation\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1177\)](#), regs. 1, **4(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Damage (Prevention and Remediation) (England) Regulations 2015, Section 10.