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WELSH STATUTORY INSTRUMENTS

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**2018 No. 1182**

**The Sustainable Drainage (Enforcement) (Wales) Order 2018**

**PART 3**

Notices

**Steps required by an enforcement notice**

**9.**—(1) For construction work commenced without approval, the enforcement notice must require the developer—

- (a) to apply for approval (the application to be made as if construction work had not commenced), or
- (b) to restore the construction area to the condition it was in before the construction work began.

(2) For a breach of a condition of approval, the enforcement notice must require the developer—

- (a) to carry out work to ensure the drainage system complies with the conditions of approval, or
- (b) to restore the construction area to the condition it was in before the construction work began.

(3) For construction work that does not conform to the approved proposals, the enforcement notice must require the developer—

- (a) to carry out work to ensure the drainage system complies with the approved proposals, or
- (b) to restore the construction area to the condition it was in before the construction work began.

(4) If a developer fails to comply with an enforcement notice, the approving body—

- (a) may take the steps specified in the enforcement notice or authorise another person to take the steps, and
- (b) may require the developer to pay expenses incurred under sub-paragraph (a), such expenses to be recoverable as a debt.

(5) The approving body or a person authorised under paragraph (4)(a) may at any reasonable time enter a construction area to take the steps specified in the enforcement notice.