

# Oil and gas (https://www.gov.uk/topic/oil-and-gas) – guidance

## Oil and gas: DECC Public Registers of Enforcement Activity

**From:** Department of Energy & Climate Change (https://www.gov.uk/government/organisations/department-of-energy-climate-change)  
**First published:** 3 June 2013  
**Last updated:** 14 December 2015, see all updates  
**Part of:** Oil and gas licensing (https://www.gov.uk/topic/oil-and-gas/licensing), Exploration and production (https://www.gov.uk/topic/oil-and-gas/exploration-and-production) and Environment reporting and regulation (https://www.gov.uk/topic/oil-and-gas/environment-reporting-and-regulation) + others

Oil and gas: DECC Public Registers of Enforcement Activity

### Overview

The Offshore Environmental Inspectorate Team, Enforcement Policy applies to all offshore oil and gas installations operating in connection with the exploration, development or production of petroleum that come within the scope of the relevant environmental legislation. This includes production platforms, mobile drilling units, floating production and storage offtake vessels, pipelines, etc. Inspectors enforce the requirements on operators set out in statutory instruments (regulations) relevant to the protection of the offshore environment which include:

- The regulation, using Permits with conditions, of the activities of discharge and use of offshore chemicals, the discharge of oil, and emissions from qualifying offshore combustion installations;
- The prohibition on the release of offshore chemicals and oil; and
- The requirement for Licensed Operators to have an oil pollution emergency plan

The enforcement methods available to Inspectors are detailed in the relevant legislation and include: a warning letter, the serving of an Enforcement or Prohibition Notice, revocation of a Permit and prosecution. This Policy sets out the general principles that Inspectors shall follow in relation to enforcement including prosecution.

- DECC Offshore Inspectorate Enforcement Policy – updated October 2015 (https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/470442/DECC\_Offshore\_Inspectorate\_Enforcement\_Policy\_-\_October\_2015.pdf) (PDF, 393KB, 24 pages)

The Public Registers of Enforcement Activity are a new addition to DECC’s Oil and Gas Website and have been introduced to bring this area in line with our policy on publication of data. The registers outline the formal Enforcement Activity undertaken by DECC in respect of offshore oil and gas operations on the United Kingdom Continental Shelf (UKCS).

Under the Code of Practice on Access to Government Information, DECC is committed to make available on request information about its actions and decisions, which includes information on formal Enforcement Activity.

The information provided within the registers will be subject to release and publication in accordance with the Freedom of Information (FOI) act 2000 and the Environmental Information Regulations 2004 (EIR).

DECC Enforcement Activity falls into four main categories; Letters, Enforcement and Prohibition Notices, Permit Revocation, and Prosecution. The DECC Public Register of Enforcement and Prohibition Notices and the DECC Public Register of Convictions are available by clicking on the relevant link(s).

### DECC Public Registers of Enforcement Activity and Prohibition Notices

The DECC Offshore Environmental Inspectorate enforces offshore oil and gas environmental regulations and permit conditions. On occasion DECC may require offshore permit holders and/or licensed operators to make improvements by issuing them with a Notice; either an Enforcement Notice which allows time for the recipient to comply with prescribed conditions or a Prohibition Notice which prohibits an activity from occurring until remedial action has been taken.

- An Enforcement Notice may be issued where the Secretary of State is of the opinion that:
  - any condition of a permit has been contravened, is being contravened or is likely to be contravened; or
  - a release or a discharge without a permit has occurred , is occurring or is likely to occur

Each Enforcement notice will identify the steps to be taken to remedy or prevent the contravention/release or discharge and will specify the period within which those steps must be taken.

- A Prohibition Notice may be issued where the Secretary of State is of the opinion that the operation of an offshore installation involves an imminent risk of serious pollution. Each Prohibition Notice will specify the steps to be taken to remove the risk involved in the operation of the offshore installation before operations are allowed to be undertaken again.

The issue of an Enforcement Notice and/or a Prohibition Notice does not prevent other Enforcement Activity, such as Prosecution, being progressed if this is deemed appropriate.

The DECC Public Register of Enforcement and Prohibition Notices includes all notices issued in the last five years. Notices that are older than five years old are available on request. In order to account for the appeals process and quality assurance there is a 5 week period following the date of issue of a notice prior to publication of the notice details on this register. Where DECC are notified of an appeal outside this time period, details of the Notice will be removed from the register. Notices that have been appealed will not appear on the register until after the appeal has been disposed..

### Register of Enforcement and Prohibition Notices - (last updated 14/12/2015)

| Notice Number                                                                                                                  | Operator           | Notice Type | Legislation                      | Issue Date  |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------|----------------------------------|-------------|
| 003/2011 (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199921/003-2011.pdf) (PDF, 82.6KB, 1 page) | Britannia Operator | Enforcement | Regulation 16(A) & 19 of the OCR | 22 November |

|                                                                                                                                                                                                                                                                                                                     |                                          |             |                                                                |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------|----------------------------------------------------------------|-------------------|
|                                                                                                                                                                                                                                                                                                                     | Limited                                  |             | Regs 2002                                                      | 2011              |
| 005/2011 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199922/005-2011.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199922/005-2011.pdf</a> ) (PDF, 82.7KB, 1 page)                                                                        | Shell UK Limited                         | Enforcement | Regulation 13(1) & 17 of the OPPC Regs 2005                    | December 19, 2011 |
| 001/2012 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199923/001-2012.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199923/001-2012.pdf</a> ) (PDF, 82.6KB, 1 page)                                                                        | TAQA Bratani Ltd                         | Enforcement | Regulation 4 of the OPPC Regs 2005                             | April 4, 2012     |
| 002/2012 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199924/002-2012.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199924/002-2012.pdf</a> ) (PDF, 82.7KB, 1 page)                                                                        | BP Exploration Operating Company Limited | Enforcement | Regulation 4 of the OPPC Regs 2005                             | June 11, 2012     |
| 003/2012 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199925/003-2012.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199925/003-2012.pdf</a> ) (PDF, 82.8KB, 1 page)                                                                        | TOTAL E&P UK Limited                     | Enforcement | Regulations 16A (1) & 16A (1A) of the OCR Regs 2002 as amended | December 18, 2012 |
| 001/2014 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374582/001-2014.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374582/001-2014.pdf</a> ) (PDF, 94.1KB, 1 page)                                                                        | Britannia Operator Limited               | Enforcement | Regulations 16A (1) & 16A (1A) of the OCR Regs 2002 as amended | September 3, 2014 |
| 002/2014 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/404212/Enforcement_Notice_02-14.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/404212/Enforcement_Notice_02-14.pdf</a> ) (PDF, 93.3KB, 1 page)                                        | Chevron North Sea Limited                | Enforcement | Reg 3A of the OPPC regs 2005                                   | November 12, 2014 |
| 023/2015<br>( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/460275/Marathon_Enforcement_Notice_report_for_web.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/460275/Marathon_Enforcement_Notice_report_for_web.pdf</a> ) (PDF, 94.5KB, 1 page) | Marathon International Oil (GB) Limited  | Enforcement | Regulation 16(1A) of the OCR Regs 2002                         | 12 August 2015    |
| 031/2015 ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484969/CNR_Enforcement_Notice.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484969/CNR_Enforcement_Notice.pdf</a> ) (PDF, 95.9KB, 1 page)                                            | CNR International (U.K) Ltd              | Enforcement | Regulation 13(1A) of the OPPC Regs 2005                        | 13 November 2015  |

## DECC Public Register of Convictions

This is a register of prosecution cases resulting in successful conviction which have been brought by DECC against offshore permit holders and/or licensed operators in respect of the relevant environmental legislation administered. In general, Prosecutions are pursued where DECC consider:

- the gravity of the alleged offence, taken together with the seriousness of any actual or potential pollution justifies this approach; or
- the general record and approach of the alleged offender warrants it; or
- there has been a reckless disregard of requirements enforced by the legislation.

The register includes Prosecutions brought by DECC in the last five years. Details of ongoing Prosecution cases and any convictions subject to appeal will not be published. To account for the appeals process there is a delay of 9 weeks following conviction before a case is added to the register. Details of Prosecutions will appear on this register for a period of five years after which they are removed from the register and are available on request.

### Register of Convictions

| Incident Report No. | Operator         | Legislation                                                                                                          |
|---------------------|------------------|----------------------------------------------------------------------------------------------------------------------|
| 50/11               | Shell UK Limited | Regulation 3A and 16(1) of the Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 |
| 16/13               | Shell UK Limited | Regulation 3A and 16(1) of The Offshore Petroleum Activities (Oil Pollution Prevention Control) Regulations 2005     |