

changes to address the underlying causes of this breach and therefore mitigate the likelihood of reoccurrence.

Aggravating circumstances

- 6.25. Over a period of several years, Spirit did not have effective mechanisms and management oversight in place to prevent the failure to comply.

Financial Penalty – Decision

- 6.26. Having taken into account all the circumstances of the case, including the factors set out in the Sanction Procedure and Financial Penalty Guidance, the NSTA imposes a financial penalty of **£50,000**.

7. PUBLICATION

- 7.1. Pursuant to section 53 of the Energy Act 2016, the NSTA may publish details of any Sanction Notice given in accordance Chapter 5 of the Energy Act 2016.
- 7.2. The NSTA may not publish anything that, in the NSTA's opinion is (a) commercially sensitive; (b) not in the public interest to publish; or (c) otherwise not appropriate for publication.⁷ With respect to this Sanction Notice, the NSTA considers that: it does not contain any commercially sensitive information; it is in the public interest to publish; and it is appropriate for publication.
- 7.3. The Sanction Notice does not contain any commercially sensitive information. Further, it is in the public interest and appropriate to publish it without redaction on the basis that the Sanction Notice: a. sends a message to industry to adhere to licence conditions; b. demonstrates to industry the possible NSTA actions should licence conditions not be met; and c. sets out to the general public the regulatory action the NSTA may take.

⁷ [Energy Act 2016](#), section 53(2).