
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Waste Management Licensing (Scotland) Regulations 2011

Notice of Appeal

4.—(1) An appeal under section 43 or 66(5) (appeals to the Scottish Ministers from decisions with respect to waste management licences or from determinations that information is not commercially confidential) must be made by notice in writing.

(2) The notice must be accompanied by—

- (a) a statement of the grounds of appeal;
- (b) where the appeal relates to an application for a waste management licence or for the modification, surrender or transfer of a waste management licence, a copy of the appellant's application and supporting documents;
- (c) where the appeal relates to a determination under section 66(2) or (4) that information is not commercially confidential, the information in question;
- (d) where the appeal relates to an existing waste management licence (including a waste management licence which has been suspended or revoked), a copy of that waste management licence;
- (e) a copy of any correspondence relevant to the appeal;
- (f) a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development; and
- (g) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

(3) The appellant must serve a copy of the notice of appeal on the waste regulation authority together with copies of the documents mentioned in paragraph (2).

(4) The appellant may withdraw an appeal by notifying the Scottish Ministers in writing.

(5) The appellant must send a copy of any notification given under paragraph (4) to the waste regulation authority.