
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 181

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015

<i>Made</i>	- - - -	<i>28th April 2015</i>
<i>Laid before the Scottish Parliament</i>	- -	<i>30th April 2015</i>
<i>Coming into force</i>		<i>1st June 2015</i>

THE TOWN AND COUNTRY PLANNING (HAZARDOUS SUBSTANCES) (SCOTLAND) REGULATIONS 2015

PART 1

General

1. Citation and commencement
2. Interpretation

PART 2

Hazardous substances, controlled quantities and exemptions

3. Hazardous substances and controlled quantities
4. Exemptions

PART 3

Applications

5. Notice to owner by applicants
6. Applications for hazardous substances consent
7. Applications for removal of conditions
8. Applications for continuation of hazardous substances consent where there has been a change in the person in control of part of the land
9. Neighbour notification by planning authorities
10. Publication of receipt of application by planning authorities
11. Validation date
12. Acknowledgment of applications
13. Further information

Changes to legislation: *There are currently no known outstanding effects for the The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015. (See end of Document for details)*

14. Consultation before determination of applications
15. Representations
16. Duty to notify the Scottish Ministers of applications
17. Time period for determination
18. Decision notices on applications under regulation 6, 7 or 8
19. Notices of decision on applications for approval of matters specified in conditions
20. Notice of reference of applications to the Scottish Ministers

PART 4

Policies and public participation

21. Policies
22. Plans and programmes
23. Other planning approvals for projects

PART 5

Appeals under section 19 of the principal Act

24. Notice of appeal
25. Intimation to planning authority and planning authority's response
26. Notification to interested parties
27. Publication of appeal documents
28. Determination without further procedure
29. Opt-in notice to interested parties
30. Decisions as to further procedure
31. Pre-examination meetings
32. Written submissions procedure
33. Site inspections
34. New evidence
35. Further copies of documents etc.
36. Compliance with notification and consultation procedures
37. Appointment of assessor
38. Notice of decision on appeal
39. Called-in applications
40. Non-delegated appeals

PART 6

Register of hazardous substances consents

41. Register of hazardous substances consents

PART 7

Enforcement

42. Hazardous substances contravention notices
43. Appeals against hazardous substances contravention notices
44. Intimation of appeal to planning authority and planning authority's response
45. Notification to other parties
46. Determination of an appeal against a hazardous substances contravention notice
47. Appeals against hazardous substances contravention notices: supplementary
48. Validity of a hazardous substances contravention notice

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015. (See end of Document for details)

49. Execution and cost of works required by hazardous substances contravention notice
50. Offence where hazardous substances contravention notice not complied with
51. Effect of hazardous substances consent on hazardous substances contravention notice
52. Hazardous substances contravention notice to have effect against the subsequent presence of hazardous substances
53. Register of hazardous substances contravention notices
54. Proceedings for questioning the validity of other orders, decisions and directions

PART 8

Miscellaneous

55. Fees for applications
 56. Applications by planning authorities
 57. Access to review procedure before a court
 58. Electronic communications
 59. Service of notices
 60. Applications made before the commencement date
 61. Interpretation of existing consents
 62. Saving provision for deemed consent conditions
 63. Notification of other establishments
 64. Appeals made after the commencement date
 65. Appeals made before the commencement date
 66. Applications referred to the Scottish Ministers before the commencement date
 67. Amendments
 68. Revocations
- Signature

SCHEDULE 1 Hazardous substances and controlled quantities
Where a hazardous substance is covered by Part 1 of...

PART 1 Categories of substances
This Part covers all hazardous substances falling under the hazard...
PART 2 Named hazardous substances
PART 3 Substances used in processes

SCHEDULE 2 Exemptions

1. Military establishments
2. Nuclear sites
3. Intermediate presence related to the transport of hazardous substances
4. Pipelines
5. Minerals
6. Paragraph 5 does not apply to a hazardous substance present...
7. Land-fill sites
8. Paragraph 7 does not apply to a hazardous substance present...
9. Emergency unloading from ships
10. Explosives
11. Hazardous substance consent is not required where an explosives licence...
12. Presence of established substances

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015. (See end of Document for details)

13. Paragraph 12 does not apply where the quantity of the...
 14. Presence of exempted substances
 15. Presence of small quantities of substances
 16. Minor changes to types and quantities of substances
 17. The conditions are that— (a) before the relevant minor change...
 18. Interpretation
 19. Expressions appearing in this Schedule and in the Directive have...
 - SCHEDULE 3 Notice to owner by applicant
 - SCHEDULE 4 Notice for publication in newspaper
 - SCHEDULE 5 Notice to be attached to decision notice given under regulation 18
 - SCHEDULE 6 Notice to be attached to notice of decision on an application for approval, consent or agreement required by a condition imposed on a grant of hazardous substances consent
 - SCHEDULE 7 Hearing Session Rules
 1. Notice of hearing session and specified matters
 2. Appearances at hearing session
 3. Date and notification of hearing session
 4. Service of hearing statements and documents
 5. Procedure at hearing
 - SCHEDULE 8 Consequential amendments
 1. Amendment of the Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007
 2. Amendment of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008
 3. Amendment of the 2013 Regulations
 - SCHEDULE 9 Revocations
- Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.