Planning (Hazardous Substances) (Scotland) Act 1997

1997 CHAPTER 10

Obtaining hazardous substances consent

5 Applications for hazardous substances consent.

(1) Provision may be made by regulations with respect to—

(a) the form and manner in which applications under this Act for hazardous substances consent are to be made,

(b) the particulars which they are to contain and the evidence by which they are to be verified,

(c) the manner in which they are to be advertised, and

(d) the time within which they are to be dealt with.

(2) Regulations may—

(a) require an applicant for hazardous substances consent or the planning authority or both to give publicity to an application for hazardous substances consent in such manner as may be prescribed;

(b) require the planning authority to conduct appropriate consultations before determining applications for hazardous substances consent;

(c) provide for the manner in which such a consultation is to be carried out and the time within which—

(i) such a consultation;

(ii) any stage in such a consultation,

is to be completed;

(d) require the planning authority to determine applications for hazardous substances consent within such time as may be prescribed;

(e) require the planning authority to give prescribed persons or bodies prescribed information about applications for hazardous substances consent including information as to the manner in which such applications have been dealt with.

(3) In subsection (2) "appropriate consultations" means consultations with the **[**[F1]safety regulator**]** and with such persons or bodies as may be prescribed.

(4) Regulations under this section may make different provision for different cases or descriptions of cases.

Textual Amendments

F1 Words in s. 5(3) substituted (1.4.2014) by The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014 (S.I. 2014/469), art. 1(2), **Sch. 2 para. 16** (with Sch. 4)

Changes to legislation:
There are currently no known outstanding effects for the Planning (Hazardous Substances) (Scotland) Act 1997, Section 5.