SCHEDULE 4

ENFORCEMENT — MODIFICATION OF THE PRINCIPAL ACT

PART 1

APPEALS AGAINST HAZARDOUS SUBSTANCES CONTRAVENTION NOTICES

3. In section 176 of the principal Act (general provisions relating to determination of appeals)—

(a) in subsection (1)—

(i) for "enforcement notice" in both places where it occurs, substitute "hazardous substances contravention notice";

(ii) for "local planning authority" substitute "hazardous substances authority";

(b) in subsection (3)—

(i) in paragraph (a) omit "within the prescribed time";

(ii) for paragraph (b) substitute—

"(b) may allow an appeal and quash the hazardous substances contravention notice if the hazardous substances authority fail to comply with regulation 19(2) of the Planning (Hazardous Substances) Regulations 1992.";

(c) in subsections (4) and (5), for "enforcement notice" substitute "hazardous substances contravention notice".