

Changes to legislation: There are currently no known outstanding effects for the The Planning (Hazardous Substances) Regulations 2015, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Regulations 6(4), 7, 13(4) and 13(5)

Prescribed forms, notices and certificates

Form 1

Posting of Notice of Application Certificate

The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) Regulations 2015 (Regulation 6)

Certificate A

I certify that:

If/The applicant* posted the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application.

The notice was left in position for not less than 7 days during the 21 day period preceding the application.

Certificate B

I certify that:

I have/The applicant has* been unable to post the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application because I have/the applicant has* no right of access or other rights in respect of the land that would enable me/the applicant* to do so.

I have/The applicant has* taken the following steps to acquire those rights, but have/has* been unsuccessful.

(Give description of steps taken).....
.....

Certificate C

I certify that:

If/The applicant* posted the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application.

It was, however, left in position for less than 7 days during the 21 day period preceding the application.

This happened because it was removed/obscured/defaced* before 7 days had elapsed.

This was not my/the applicant's* fault or intention.

If/The applicant* took the following steps to protect and replace the notice:

(Give description of steps taken).....

Signed.....

*On behalf of.....

Date.....

* delete where inappropriate

Form 2

Certificates under Regulation 7(1)* or 13(4)*^(a)

The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) Regulations 2015

Certificate A

I certify that:

At the beginning of the period of 21 days ending with the date of the accompanying application/appeal* only the applicant/appellant*, was the owner(b) of any part of the land to which the application/appeal* relates.

Signed.....

*on behalf of.....

Date.....

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Certificate B

I certify that:
I have/The applicant has/The appellant has⁹⁸ given the required notice⁹⁹ to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application/appeal, was the owner¹⁰⁰ of any part of the land to which the application/appeal relates, as listed below.
Owner's name.....
Address at which notice was served.....
Date on which notice was served.....
Signed.....
⁹⁹on behalf of.....
Date.....

Certificate C

I certify that:
I/The applicant/The appellant⁹⁸ cannot issue a Certificate A or B in respect of the accompanying application/appeal⁹⁹.
I have/The applicant has/The appellant has⁹⁸ given the required notice⁹⁹ to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application/appeal⁹⁹, were owners¹⁰⁰ of any part of the land to which the application/appeal⁹⁹ relates.
Owner's name.....
Address at which notice was served.....
Date on which notice was served.....
I have/The applicant has/The appellant has⁹⁸ taken all reasonable steps open to me/him/her⁹⁸ to find out the names and addresses of the remaining owners¹⁰⁰ of the land, or of a part of it, but have/has⁹⁸ been unable to do so. These steps were as follows:—
¹⁰⁰.....
Signed.....
⁹⁹On behalf of.....
Date.....

Certificate D

I certify that:
I/The applicant/The appellant⁹⁸ cannot issue a Certificate A in respect of the accompanying application/appeal⁹⁹.
I/The applicant/The appellant⁹⁸ have/has⁹⁸ taken all reasonable steps open to me/him/her⁹⁸ to find out the names and addresses of everyone else who, at the beginning of the period of 21 days ending with the date of the application/appeal⁹⁹, was the owner¹⁰⁰ of any part of the land to which the application/appeal⁹⁹ relates, but have/has⁹⁸ been unable to do so. These steps were as follows:—
¹⁰⁰.....
Signed.....
⁹⁹On behalf of.....
Date.....
⁹⁸delete where inappropriate

⁹⁸ These Certificates are for use both with applications and appeals for hazardous substances consent. References to either regulation 7(1) or 13(4) should therefore be deleted as appropriate. One of certificates A, B, C or D must be completed.
⁹⁹ "Owner" means a person having a freehold interest or a tenancy (the unexpired term of which is not less than 7 years).
¹⁰⁰ Form 3 (for applications) or Form 4 (for appeals).
¹⁰¹ Insert description of steps taken.

Form 3
Notice of Application for Hazardous Substances Consent/ Continuation of Hazardous Substances Consent*
The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 2015 (Regulation 7)

To be served on an owner¹⁰¹
I give notice that¹⁰².....
is applying to the¹⁰³.....
for hazardous substances consent/the continuation of hazardous substances consent*
¹⁰⁴.....
¹⁰⁵.....
Details about how you may inspect a copy of the application and make representations to
¹⁰⁶.....
are set out in the attached public notice.
Signed:.....
¹⁰⁷on behalf of.....
Date:.....
¹⁰⁸delete where inappropriate

¹⁰¹ "Owner" means a person having a freehold interest or a tenancy (the unexpired term of which is not less than 7 years).
¹⁰² Insert applicant's name.
¹⁰³ Insert name of Council or other body to whom the application is to be made.
¹⁰⁴ Insert a description of the proposal.
¹⁰⁵ Insert address or location of the application site.

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Form 4

Notice of Appeal

The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) Regulations 2015 (Regulation 13)

To be served on an owner⁽¹⁾

I give notice that⁽²⁾
having applied to the⁽³⁾ for hazardous substances
consent/the continuation of hazardous substances consent⁽⁴⁾

for⁽⁵⁾

at⁽⁶⁾

is appealing to the Secretary of State for Communities and Local Government
against the decision of the⁽⁷⁾

on the failure of the⁽⁸⁾ to give notice of a decision⁽⁹⁾

If you wish to make representations about this appeal you should write to the Planning
Inspectorate, Temple Quay House, Bristol BS1 3TY within 21 days of the date of service of this
notice.

Signed:

⁽¹⁰⁾on behalf of

Date:

⁽¹¹⁾delete where inappropriate

⁽¹⁾ "Owner" means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.

⁽²⁾ Insert appellants' name.

⁽³⁾ Insert name of Council or other body to whom the application was made.

⁽⁴⁾ Insert a description of the proposals.

⁽⁵⁾ Insert address or location of the application site.

Changes to legislation:

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