

SCHEDULES

SCHEDULE 7

VARIATION OF CONDITIONS

PART 1

APPLICATIONS FOR VARIATION OF CONDITIONS

8.—(1) Except in a case where an application under regulation 19(2) has been referred to the Department under paragraph 7 and subject to paragraph 18, the enforcing authority shall give notice of—

- (a) its determination of an application under regulation 19(4); or
- (b) in the case of an application affecting the operation of a Part A installation or Part A mobile plant, to which paragraph 5 applies, its draft determination in accordance with paragraph 9, within the period specified in sub-paragraph (2).

(2) The period for the purposes of sub-paragraph (1) is as follows—

- (a) where paragraph 5 applies, the period of six months beginning with the day on which the enforcing authority received the application;
- (b) where paragraph 5 does not apply, the period of three months beginning with the day on which the enforcing authority received the application; or
- (c) in either case, such longer period as may be agreed with the operator.

(3) For the purpose of calculating the periods mentioned in sub-paragraph (2) no account shall be taken of—

- (a) any period beginning with the date on which notice is served on an operator under paragraph 4 and ending on the date on which the operator furnishes the information specified in the notice;
- (b) any period allowed for making representations in relation to a notice given pursuant to paragraph 6 in so far as that period does not overlap with any other period allowed for making representations in accordance with paragraph 6(5); and
- (c) where the matter falls to be determined under regulation 34 or 35, any period beginning with the date on which the period of 28 days referred to in paragraph 6(1) ends and ending on the date on which the application is advertised in accordance with paragraph 24(b).