
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 178

The Contaminated Land (Scotland) Regulations 2000

Appeals to the Scottish Ministers

8.—(1) An appeal to the Scottish Ministers against a remediation notice shall be made to them by a notice (“notice of appeal”) which shall state—

- (a) the name and address of the appellant;
- (b) the grounds on which the appeal is made including particulars of the matters relied upon in support; and
- (c) whether the appellant wishes the appeal to be in the form of a hearing or to be disposed of on the basis of written representations.

(2) The appellant shall, at the same time as serving a notice of appeal on the Scottish Ministers—

- (a) serve a copy of it on—
 - (i) SEPA;
 - (ii) any person named in the remediation notice as an appropriate person;
 - (iii) any person named in the notice of appeal as an appropriate person; and
 - (iv) any person named in the remediation notice as the owner or occupier of the whole or any part of the land to which the notice relates,

and serve on the Scottish Ministers a statement of the names and addresses of any persons falling within paragraph (ii), (iii) or (iv) above; and

- (b) serve a copy of the remediation notice to which the appeal relates on the Scottish Ministers and on any person named in the notice of appeal as an appropriate person who is not so named in the remediation notice.

(3) Subject to paragraph (4) below, if the appellant wishes to abandon an appeal, the appellant shall do so by notifying the Scottish Ministers in writing (or in electronic form) and the appeal shall be treated as abandoned on the date the Scottish Ministers receive that notification.

(4) The Scottish Ministers may refuse to permit an appellant to abandon the appeal against a remediation notice where the notification by the appellant in accordance with paragraph (3) above is received by them at any time after they have notified the appellant in accordance with regulation 12(1) below of the proposed modification of that notice.

(5) Where an appeal is abandoned, the Scottish Ministers shall give notice of the abandonment to any person on whom the appellant was required to serve a copy of the notice of appeal.