
STATUTORY INSTRUMENTS

1992 No. 656

The Planning (Hazardous Substances) Regulations 1992

PART 6

CONSENTS REGISTER

Consents register

23.—(1) The register required by section 28(1) shall be kept in 6 parts—

- (a) Part 1 shall contain a copy of every application for hazardous substances consent made to the hazardous substances authority and not finally determined;
- (b) Part 2 shall contain, in respect of every application for hazardous substance consent made to the hazardous substances authority—
 - (i) a copy of the application;
 - (ii) particulars of any direction given under section 20;
 - (iii) the decision (if any) of the authority, including details of any conditions subject to which consent was granted and the date of the decision;
 - (iv) the reference number, date and effect of any decision of the Secretary of State, whether on a reference under section 20 or on an appeal under section 21;
- (c) Part 3 shall contain a copy of every order revoking or modifying hazardous substances consent made by the hazardous substance authority and the date and effect of any confirmation by the Secretary of State in accordance with section 15.
- (d) Part 4 shall contain, in respect of every hazardous substances consent deemed to be granted under section 11(3), a copy of the relevant claim form;
- (e) Part 5 shall contain a copy of every hazardous substance consent deemed to be granted by virtue of a direction given by a Government Department under section 12;
- (f) Part 6 shall contain a copy of any direction under section 27 sent to the authority by the Secretary of State.

(2) Where the Secretary of State grants hazardous substances consent under section 177 of the principal Act on the determination of an appeal against a hazardous substances contravention notice, the hazardous substances authority for the land covered by the consent shall enter the date and effect of that decision in Part 2 of the register.

(3) The register shall include an index to enable any person to trace an entry in the register.

(4) Every entry in the register shall be made within 14 days of the relevant information being available to the hazardous substances authority.

(5) The register shall be kept at the principal office of the hazardous substances authority.

(6) For the purpose of paragraph (1)(a), an application shall not be treated as finally determined unless—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) it has been decided by the hazardous substances authority (or the period specified in regulation 11(3) has expired without their giving a decision) and the period specified in regulation 13(1) has expired without any appeal having been made to the Secretary of State;
- (b) it has been referred to the Secretary of State under section 20 or an appeal has been made to the Secretary of State under section 21, the Secretary of State has issued his decision and the period of 6 weeks specified in section 22(1) has expired without any application having been made to the High Court under that section;
- (c) an application has been made to the High Court under section 22 and the matter has been determined, either by final dismissal of the application by a Court or by the quashing of the Secretary of State's decision and the issue of a fresh decision (without a further application under the said section 22 being duly made); or
- (d) it has been withdrawn by the applicant before being determined or an appeal has been withdrawn by the applicant before the Secretary of State has issued his decision.