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STATUTORY INSTRUMENTS

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**1994 No. 2842**

**The Urban Waste Water Treatment (Scotland) Regulations 1994**

**Discharges of industrial waste water to collecting systems or treatment plants**

7.—(1) It shall be the duty of every local authority and of the Secretary of State, in exercising their respective functions under Part II of the Sewerage (Scotland) Act 1968 (trade effluents) with respect to any discharge of industrial waste water, to secure that the requirements of Schedule 4 are met in respect of that discharge.

(2) Nothing in section 29(1) or (3) of that Act (decision on application) shall restrict the power of a local authority to impose in any consent or by direction under the said Part II such conditions as are necessary to comply with paragraph (1) above.

(3) Section 36(4) of that Act shall be disappplied in any case where a local authority has made a direction under subsection (1) of that section imposing such conditions on continuation of an existing discharge (within the meaning of the said Part II) as are necessary to comply with paragraph (1) above.

(4) Notwithstanding the terms of section 37(6) of that Act—

- (a) nothing in any agreement entered into between a local authority and the owner or occupier of premises used or intended to be used for carrying on any trade or industry shall obviate the requirement for the consent of the local authority to any discharge of trade effluent from those premises unless the terms of the agreement are such as will secure that the requirements of Schedule 4 are met in respect of any discharge to which the agreement relates; and
- (b) for the purposes of complying with paragraph (1) above, a local authority may review by direction the making of the discharge to which any such agreement relates and accordingly sections 26 to 32 and 36 of that Act shall apply to such a discharge,

and any such agreement shall not be enforceable if and to the extent that it permits any discharge of industrial waste water in respect of which the requirements of Schedule 4 are not met.

(5) Every local authority shall at regular intervals review and, if necessary for the purposes of complying with this regulation, modify consents granted under the said Part II and shall at regular intervals review, if so necessary, directions made thereunder.

(6) Nothing in the said Part II shall restrict the power of a local authority to modify a consent or, as the case may be, review a direction in pursuance of the duty imposed by this regulation.