
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Planning (Hazardous Substances) (No.2) Regulations (Northern Ireland) 2015 (“the 2015 Regulations”) as a consequence of the commencement of the Departments (Transfer of Functions) Order (Northern Ireland) 2016.

Regulation 2(2) amends regulation 11(1)(a) of the 2015 Regulations to provide that before determining an application for hazardous substance consent, the council must consult with the Department of Agriculture, Environment and Rural Affairs (previously this consultation requirement fell on the Department of the Environment).

Regulation 2(3) substitutes regulation 16(2) of the 2015 Regulations to provide that where an application is made by a council to the Department for hazardous substance consent, the Department for Infrastructure will have to consult with the Department of Agriculture, Environment and Rural Affairs under regulation 11(1)(a).

A Regulatory Impact Assessment has not been prepared. The technical changes made by these Regulations are simply the result of a change in the functions of Departments in Northern Ireland and will ensure the continuity of consultation arrangements in respect of hazardous substances consents.

The Explanatory Memorandum is available on the government’s website www.legislation.gov.uk