
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

**The Transport and Works (Scotland) Act 2007
(Consents under Enactments) Regulations 2007**

Planning (Hazardous Substances) (Scotland) Act 1997

4. In section 10 of the Planning (Hazardous Substances) (Scotland) Act 1997 (deemed hazardous substances consent: government authorisation)⁽¹⁾—

(a) after subsection (2) insert—

“(2A) On making an order under section 1 of the Transport and Works (Scotland) Act 2007 which includes any provision that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, the Scottish Ministers may direct that hazardous substances consent shall be deemed to be granted, subject to such conditions (if any) as may be specified in the directions.”;

(b) in subsection (3)—

(i) omit “or, as the case may be”; and

(ii) after “State” insert “or, as the case may be, the Scottish Ministers”; and

(c) in subsection (6) after “State” insert “or the Scottish Ministers”.