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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 60**

The Management of Extractive  
Waste (Scotland) Regulations 2010

PART 9

APPEALS, ENFORCEMENT AND GENERAL PROVISION

**Enforcement**

**30.** For the purposes of these Regulations, Part 6 of the 1997 Act (enforcement) applies, and the following shall be treated as constituting a breach of planning control for the purposes of the application of that Part—

- (a) carrying out development without any planning permission required by these Regulations;
- (b) failure to comply with any condition or limitation subject to which such planning permission has been granted (including the mandatory conditions in Part 5 of these Regulations) or with any other requirement imposed on an operator by these Regulations;
- (c) in the case of an extractive waste area or waste facility to which regulation 5(2) applies, commencing or continuing operations after 30th April 2012 without the approval of the planning authority for a waste management plan in respect of that area or facility;
- (d) in the case of a waste facility to which regulation 5(4) applies, continuing to operate that facility after 30th April 2012 without the planning permission required by that regulation.

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**Commencement Information**

**II** Reg. 30 in force at 1.4.2010, see **reg. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Management of Extractive Waste (Scotland) Regulations 2010, Section 30.