

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations consolidate the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 and subsequent amendments to those Regulations and make further amendments. They also implement the land-use planning aspects of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (“Seveso III”).

Part 2 and Schedule 1 sets out the substances which are hazardous substances for the purpose of the Planning (Hazardous Substances) (Scotland) Act 1997 (“the principal Act”), the controlled quantities of those substances and exemptions from the need for hazardous substances consent.

Part 3 sets out the processes for applying for, and determining, applications for hazardous substances consent and related applications.

Part 4 implements provisions in Seveso III regarding preparation of policy, plans and programmes and land-use planning around establishments to which that Directive applies.

Part 5 contains provisions on making, and determining, appeals and on the processing of applications referred to the Scottish Ministers under section 18 of the principal Act.

Part 6 provides for the keeping of a register of hazardous substances consents.

Part 7 deals with hazardous substances contravention notices and appeals against such notices.

Part 8 contains miscellaneous provision, including provision on fees and applications by planning authorities. It also contains savings and transitional provisions.

A Business and Regulatory Impact Assessment and transposition note have been prepared and placed in the Scottish Parliament Information Centre. They can be obtained free of charge from the Scottish Government Planning Directorate, Area 2H, Victoria Quay, Edinburgh, EH6 6QQ.

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.