



Housing and Planning Act 1986

1986 CHAPTER 63

PART IV

HAZARDOUS SUBSTANCES

England and Wales

30 Hazardous substances authorities

The following sections shall be inserted after section 1 of the Town and Country Planning Act 1971—

“1A Hazardous substances authorities— general.

- (1) Subject to subsections (2) to (4) below, in this Act " hazardous substances authority ", in relation to any land other than land to which section IB below applies, means the council of the district or London borough in which it is situated.
- (2) Subject to subsection (3) below, the county council are the hazardous substances authority if the land is in a non-metropolitan county and—
 - (a) is situated in a National Park ;
 - (b) is used for the winning and working of minerals (including their extraction from a mineral-working deposit); or
 - (c) is situated in England and used for the disposal of refuse or waste materials.
- (3) A joint planning board or special planning board for a National Park are the hazardous substances authority for the Park.
- (4) An urban development corporation are the hazardous substances authority for their area, if they are the local planning authority in relation to all kinds of development.

Status: This is the original version (as it was originally enacted).

1B Hazardous substances authorities— statutory undertakers.

- (1) In this Act "hazardous substances authority ", in relation to land to which this section applies, means the appropriate Minister.
- (2) This section applies—
 - (a) to operational land of statutory undertakers ;
 - (b) to land in which statutory undertakers hold, or propose to acquire, an interest with a view to the land being used as operational land.
- (3) For the purposes of this section any land to which this subsection applies but which is not operational land of statutory undertakers authorised to carry on a harbour shall be treated as if it were such operational land.
- (4) Subsection (3) above applies—
 - (a) to a wharf; and
 - (b) to harbour land,as defined in the Harbours Act 1964.
- (5) Any question whether subsection (3) above applies to land shall be determined by the Secretary of State and the Minister who is the appropriate Minister in relation to operational land of statutory undertakers who are authorised to carry on harbour undertakings.”.