

Status: Point in time view as at 01/04/1996.

Changes to legislation: Planning (Hazardous Substances) Act 1990, Cross Heading: Hazardous substances authorities is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Planning (Hazardous Substances) Act 1990

1990 CHAPTER 10

Hazardous substances authorities

1 Hazardous substances authorities: general.

The council of the district [^{F1}, Welsh county, county borough]or London borough in which land is situated shall be the hazardous substances authority in relation to the land except in cases where section ^{F2}. . . 3 applies.

Textual Amendments

- F1** Words in s. 1 inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 26(1)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F2** Words repealed (1.1.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), **Sch. 16 Pt. VII**; S.I. 1991/2829, **art. 3**

Commencement Information

- I1** **S. 1** wholly in force at 1.6.1992 see S.I. 1992/725, art. 3; **s. 1** in force for certain purposes at 11.3.1992 see S.I. 1992/725, art. 2

^{F3}2

Textual Amendments

- F3** **S. 2** repealed (1.1.1992) by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 144, 162(2), Sch. 13 para. 2(1), **Sch. 16 Pt. VII**; S.I. 1991/2829, **art. 3**

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3 Hazardous substances authorities: other special cases.

- (1) The county council shall be the hazardous substances authority for land which is in a non-metropolitan county [^{F4}in England] 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, unless subsection (2) applies.
- (2) If the land is in a National Park for which a joint planning board or special planning board has been constituted, the board shall be the hazardous substances authority for the land.
- (3) The Broads Authority is the hazardous substances authority for the Broads unless subsection (1) or (2) applies.
- (4) If the land is in an area for which an urban development corporation is the local planning authority in relation to all kinds of development, the corporation shall be the hazardous substances authority for the land unless subsection (1) or (2) applies.
- (5) If the land is in an area for which a housing action trust established under Part III of the ^{M1}Housing Act 1988 is the local planning authority in relation to all kinds of development, the trust shall be the hazardous substances authority for the land unless subsection (1) or (2) applies.
- [^{F5}(5A) If the land is in an area for which the Urban Regeneration Agency is the local planning authority in relation to all kinds of development, the Agency shall be the hazardous substances authority for the land unless subsection (1) or (2) applies.]
- (6)

Textual Amendments

F4 Words in s. 3(1) inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 26(2)** (with ss. 54(5) (7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 3, **Sch. 1**

F5 S. 3(5A) inserted (10.11.1993) by 1993 c. 28, ss. 187(1), **Sch. 21 para. 32**; S.I. 1993/2762, **art. 3**

Commencement Information

I2 S. 3 wholly in force at 1.6.1992 see S.I. 1992/725, art. 3; S. 3 in force for certain purposes at 11.3.1992 see S. I. 1992/725, art 2

Marginal Citations

M1 1988 c. 50.

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