

## SCHEDULES

### SCHEDULE 16

#### PROCEDURE FOR CERTAIN PLANNING CHALLENGES

##### *Planning (Hazardous Substances) Act 1990 (c. 10)*

- 7 (1) Section 22 of the Planning (Hazardous Substances) Act 1990 (validity of decisions as to applications) is amended as follows.
- (2) In subsections (1) and (2), omit “within six weeks from the date on which the decision is taken”.
- (3) After subsection (2) insert—
- “(2A) An application under this section may not be made without the leave of the High Court.
- (2B) An application for leave for the purposes of subsection (2A) must be made before the end of the period of six weeks beginning with the day after the date on which the decision to which the application relates is taken.
- (2C) When considering whether to grant leave for the purposes of subsection (2A), the High Court may by interim order suspend the operation of the decision the validity of which the person or authority concerned wishes to question, until the final determination of—
- (a) the question of whether leave should be granted, or
- (b) where leave is granted, the proceedings on any application under this section made with such leave.”
- (4) In subsection (3), after “section” insert “(other than an application for leave)”.