

WELSH STATUTORY INSTRUMENTS

2015 No. 1597

The Planning (Hazardous Substances) (Wales) Regulations 2015

PART 3

Hazardous substances consent procedures

Appeals

13.—(1) Any appeal to the Welsh Ministers under section 21(1) of the PHSA (appeals against decisions relating to hazardous substances) must be made within 6 months of the date of the notice of the decision giving rise to the appeal, or within such longer period as the Welsh Ministers may, at any time, allow.

(2) Any appeal under section 21 of the PHSA (appeals against decisions or failure to take decisions relating to hazardous substances) must—

- (a) be made to the Welsh Ministers on a form obtained from the Welsh Ministers;
- (b) include the information specified in the form; and
- (c) be accompanied by the documents specified in paragraph (3) and the certificate required by paragraph (4).

(3) The documents mentioned in paragraph (2)(c) are—

- (a) the application made to the hazardous substances authority which has occasioned the appeal;
- (b) any notices and certificates required by regulations 6 and 7 which accompanied the application;
- (c) any correspondence with the authority relating to the application; ^{F1}...
- (d) the notice of decision, if any [^{F2}; and]

[^{F3}(e) a full statement of case]

(4) An appeal under section 21 of the PHSA must not be entertained by the Welsh Ministers unless it is accompanied by whichever of certificates A to D is appropriate in Form 2, signed by or on behalf of the appellant.

(5) The required notice referred to in certificates B and C must, in the case of an appeal under section 21 of the PHSA, be a notice given on Form 4.

(6) The appellant must send a copy of the [^{F4}completed notice of appeal form, accompanying certificate and full statement of case] to the hazardous substances authority at the same time as the appeal is made to the Welsh Ministers.

Textual Amendments

- F1** Word in reg. 13(3)(c) omitted (5.5.2017) by virtue of [The Planning \(Hazardous Substances\) \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/547\)](#), regs. 1(1), **5(1)(a)** (with reg. 8)

Changes to legislation: There are currently no known outstanding effects for the The Planning (Hazardous Substances) (Wales) Regulations 2015, Section 13. (See end of Document for details)

- F2** Word in reg. 13(3)(d) substituted (5.5.2017) by The Planning (Hazardous Substances) (Wales) (Amendment) Regulations 2017 (S.I. 2017/547), regs. 1(1), **5(1)(b)** (with reg. 8)
- F3** Reg. 13(3)(e) inserted (5.5.2017) by The Planning (Hazardous Substances) (Wales) (Amendment) Regulations 2017 (S.I. 2017/547), regs. 1(1), **5(1)(c)** (with reg. 8)
- F4** Words in reg. 13(6) substituted (5.5.2017) by The Planning (Hazardous Substances) (Wales) (Amendment) Regulations 2017 (S.I. 2017/547), regs. 1(1), **5(2)** (with reg. 8)

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Hazardous Substances) (Wales) Regulations 2015, Section 13.