

SCHEDULES

SCHEDULE 3

Regulations 6(4), 7, 13(4) and 13(5)

PRESCRIBED FORMS, NOTICES AND CERTIFICATES

Form 1

Posting of Notice of Application Certificate

The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) (Wales) Regulations 2015 (Regulation 6)

Certificate A

I certify that:

I/the applicant* posted the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application.

The notice was left in position for not less than 7 days during the 21 day period preceding the application.

or

Certificate B

I certify that:

I have/the applicant has* been unable to post the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application because I have/the applicant has* no right of access or other rights in respect of the land that would enable me/the applicant* to do so.

I have/the applicant has* taken the following steps to acquire those rights, but have/has* been unsuccessful.

(Give description of steps taken)

.....

or

Certificate C

I certify that:

I/the applicant* posted the notice required by regulation 6(1)(b) of the above Regulations on the land which is the subject of the accompanying application.

The notice was, however, left in position for less than 7 days during the 21 day period preceding the application.

This happened because it was removed/obscured/defaced* before 7 days had elapsed.

This was not my/the applicant's* fault or intention.

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(Give description of steps taken)

Signed.....

*on behalf of.....

Date.....

* delete where inappropriate

Form 2

Certificates under Regulation 7(1)* or 13(4)*(a)

The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) (Wales) Regulations 2015

Certificate A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application/appeal* nobody, except the applicant/appellant*, was the owner **(b)** of any part of the land to which the application/appeal* relates.

Signed.....

*on behalf of.....

Date.....

Certificate B

I certify that:

I have/the applicant has/the appellant has* given the required notice **(c)** to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application/appeal, was the owner **(b)** of any part of the land to which the application/appeal*relates, as listed below.

Owner's name

Address at which notice was served

Date on which notice was served

Signed.....

*on behalf of.....

Date.....

Certificate C

I certify that:

I/the applicant/the appellant* cannot issue a Certificate A or B in respect of the accompanying application/appeal*.

I have/the applicant has/the appellant has* given the required notice **(c)** to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the

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application/appeal*, were owners (b) of any part of the land to which the application/appeal *relates.

Owner’s name

Address at which notice was served

Date on which notice was served

I have/the applicant has/the appellant has* taken all reasonable steps open to me/the applicant/the appellant* to find out the names and addresses of the remaining owners (b) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:—

(d)
.....

Signed.....

*on behalf of.....

Date.....

Certificate D

I certify that:

I/the applicant/the appellant* cannot issue a Certificate A in respect of the accompanying application/appeal*

I/the applicant/the appellant* have/has* taken all reasonable steps open to me/the applicant/the appellant* to find out the names and addresses of everyone else who, at the beginning of the period of 21 days ending with the date of the application/appeal*, was the owner (b) of any part of the land to which the application/appeal* relates, but have/has* been unable to do so. These steps were as follows:—

(d).....
.....

Signed.....

*on behalf of.....

Date.....

* delete where inappropriate

(a) These Certificates are for use both with applications and appeals for hazardous substances consent. References to either regulation 7(1) or 13(4) should therefore be deleted as appropriate. One of certificates A, B, C or D must be completed.

(b) “Owner” means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.

(c) Form 3 (for applications) or Form 4 (for appeals).

(d) Insert description of steps taken.

Form 3

Notice of Application for Hazardous Substances Consent/Continuation of Hazardous Substances Consent*
The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) (Wales) Regulations 2015 (Regulation 7)

To be served on an owner(a)

I give notice that (b).....

is applying to the (c).....

for hazardous substances consent/the continuation of hazardous substances consent*

(d).....

at (e).....

Details about how you may inspect a copy of the application and make representations to (c).....are set out in the attached public notice.

Signed:

*on behalf of.....

Date.....

* delete where inappropriate

(a) "Owner" means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.

(b) Insert applicant's name.

(c) Insert name of Council or other body to whom the application is to be made.

(d) Insert brief details of the consent being sought.

(e) Insert address or location of the application site.

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

Form 4

Notice of Appeal
The Planning (Hazardous Substances) Act 1990

The Planning (Hazardous Substances) (Wales) Regulations 2015 (Regulation 13)

To be served on an owner (a)

I give notice that (b).....

having applied to the (c)..... for hazardous substances consent/the continuation of hazardous substances consent*

for (d).....

at (e).....

is appealing to the Welsh Ministers against the decision of the (b).....

—on the failure of the (b).....to give notice of a decision*

If you wish to make representations about this appeal you should write to the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF14 0NS within 21 days of the date of service of this notice.

Signed:

*on behalf of.....

Date.....

* delete where inappropriate

(a) "Owner" means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.

(b) Insert appellant's name.

(c) Insert name of Council or other body to whom the application was made.

(d) Insert a description of the proposals.

(e) Insert address or location of the application site.