

EAST AYRSHIRE COUNCIL

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015

This form, together with all required plans, including a site map and substance location plan should be submitted electronically to the Planning Service at the email address below, together with the appropriate fee.

email: submittoplanning@east-ayrshire.gov.uk

HAZARDOUS SUBSTANCES CONSENT

GENERAL

1. Applicant's name and address (including postcode) and daytime telephone number and email address.	
2. Agent's name and address and contact details (if applicable) and confirmation if any notice or other correspondence required by the regulations specified above to be sent to the Applicant are to be sent to the named Agent instead.	
3. Full postal address or location of the land or buildings to be developed, including postcode. b) Please provide the O.S grid reference	
4. Please state whether the applicant owns or controls any adjoining land, if so, give its location.	
5. Substance covered by the application a) Please list named substance falling within column 1 of Part 1 of Schedule 1; or specified in column 1 of Part 2 of Schedule 1; or meeting the description in column 1 of Part 3 of Schedule 1 of the 2015 Regulations for which consent is sought.	

6. TABLE A

Name or relevant category or Description of substance	Part & entry number (c) in Schedule 1 to the 2015 Regulations	Do you have a current PHS* consent in respect of this substance Y/N	If "YES" state quantity for which consent granted	Maximum quantity proposed to be present in Tonnes

Activities to be carried out

Set out in the box the details of the activities carried out or proposed to be carried out on, over or under the land to which the application relates.

Manner in which substance(s) are to be kept and used

For each substance, category or description of substance, covered by the application. Please provide the following information, referring to the substance location plan where appropriate to detail how and where each relevant substance is to be kept and used.

- (a) Insert substance entry number in column (1) of Table B below and tick whichever of columns (2) and (3) is appropriate, providing more detail in respect of each relevant substance in Tables C and D:

TABLE B

(1) Part and Entry number in Schedule 1 to the 2015 Regulations	(2) Storage Only	(3) Stored and Involved in an industrial process

(b) For each vessel to be used for storing the substance(s) please give the following information

TABLE C: Details of storage vessels

Vessel No*	Part and entry Number in Schedule 1 to the 2015 Regulations of Substance(s) to be stored in vessel	Installed above ground + (YES/NO)	Buried (YES/NO)	Mounded (YES/NO)	Maximum Capacity (cubic metres)	Highest vessel design temperature °C	Highest vessel design pressure (bar absolute)

*Identify by reference to substance location plan

+ If "YES" please specify whether or not it will be provided with fully secondary containment

- (c) For each vessel substance, category or description of substance, please state the largest size (capacity in cubic metres) of any moveable containers(s) to be used for that substance, category or description of substances;
- (d) Where a substance, category or description of substance is to be used in manufacturing, treatment or other process(es), please give a general description of the process(es), describe the major items of plant which will contain the substance(s); and state the maximum quantity (in tonnes) which is liable to be present in the major items of the plant, and the maximum temperature (°C) and the pressure (bar absolute) at which the substance, category or description of substance is liable to be present:

TABLE D

Part and entry number in Schedule 1 to the 2015 Regulations	Description of process(es)	Major Items of Plant*	Maximum quantity (Tonnes)	Maximum temperature (°C)	Maximum pressure (bar absolute)

* identify by reference to the substance location plan.

How each relevant substance is proposed to be transported to and from the land to which the application relates:

The measures taken or proposed to be taken to limit the consequences of a major accident:

7. ADDITIONAL INFORMATION

- (a) If you have an existing PHS consent(s) as referred to in Table A, please enclose a copy of each consent with this application.
- (b) Has any application for Hazardous Substances Consent or planning permission relating to the application site been made which has not yet been determined?

YES

NO

- (c) Will any such applications be submitted at the same time as this application?

YES

NO

If you have answered **YES** to either of these preceding questions, please provide sufficient details to enable the application(s) to be identified.

- (d) **PLANS.** Please list the maps or plans or any explanatory scale drawings of plant/buildings submitted with this application below.

DRAWING NO	SCALE	DESCRIPTION

- (e) Submit any further information which you consider to be relevant to the determination of this application, including the measures taken or proposed to be taken to limit the consequences of a major accident.
- (f) You must provide a statement where applicable, stating that the proposal a project, or part of a project, that is subject to a national or transboundary environmental impact assessment or to consultations between Member States in accordance with Article 14(3) of the Directive?

“the Directive” has the same definition as set out in The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.

To East Ayrshire Council

I/We
 hereby apply for Hazardous Substances Consent in accordance with the proposals described in the application and in the accompanying plans.

Signed

Date:

NOTES

- (a) The "**2015 Regulations**" are the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015
- (b) The "**controlled quantity**" means the quantity specified for that substance in Column 2 of Parts 1, 2 or 3 of Schedule 1 to the 2015 Regulations, calculated in accordance with the Notes to that Schedule.
- (c) For Part C, state that Part only.

The application should be submitted online or by electronic means to:-
submittoPlanning@east-ayrshire.gov.uk

8. LAND OWNERSHIP CERTIFICATE

A I hereby certify that: *Please tick one box*

1. 21 days before the date of this application for hazardous substances consent, the applicant owned all the land to which this application relates.

☐

OR

2. The applicant has given notice to all persons who, 21 days before the date of this application for hazardous substances consent, owned any part of the land to which it relates. They are:

☐

NAME OF OWNER	ADDRESS	DATE NOTIFIED

OR

3. The applicant has given notice to all persons whose name and address was known to the applicant who, 21 days before the date of this application for hazardous substances consent, was the owner of any land to which the application relates and the applicant is unable to give notice to every owner. The applicant has taken the following reasonable steps to ascertain the names and addresses of those owners whom the applicant has been unable to give notice

☐

Steps taken to ascertain the names and addresses:

B I further certify that: *Please tick one box*

- (a) 21 days before the date of this application for hazardous substances consent, none of the land to which this application relates form part of an agricultural holding.

☐

OR

- (a) The applicant has given the notice of this application for hazardous substances consent to every person, who, 21 days before the date of this application, was a tenant of an agricultural holding, any part of which formed part of the land to which this application relates. These persons are:

NAME OF TENANT	ADDRESS	DATE NOTIFIED

YOU ARE LEGALLY REQUIRED TO COMPLETE PARTS A AND B OF THE LAND OWNERSHIP CERTIFICATE AS PART OF YOUR APPLICATION FOR HAZARDOUS SUBSTANCES CONSENT. IF YOU DO NOT, YOUR APPLICATION WILL NOT BE PROCESSED.

You do not need to have any legal interest in the land to which the application relates when you apply for permission, nor do you require the consent of the owner. But, if you do not own the land to which this application relates, you are required to give notice of the making of the application to the owner and to any agricultural tenant of the land.

For the purposes of making an application, a person is regarded as the owner if, 21 days before the date of the application, he is an owner or is the tenant under a Lessee which still has at least 7 years to run.

If you do own all of the land to which this application relates, then you should tick the box beside certificate 1.

If you are not the owner of the land to which the application relates, you are legally required to notify the owner(s) by serving on them:

A completed copy of the NOTICE TO OWNERS/TENANTS OF AGRICULTURAL HOLDINGS form provided in this application pack.

Once you have served this notice you should tick the box next to Certificate 2 and list the names and addresses of the owners notified, together with the date on which the notice was served.

Part B relates to agricultural holdings. If none of the land to which this application relates forms part of an agricultural holding then you should tick the box beside certificate (a).

If, 21 days before the date of the application, all or part of the land to which this application relates forms part of an agricultural holding, then you are required to notify any agricultural tenants of that land. You should notify them by serving on them:

A completed copy of the NOTICE TO OWNERS/ TENANTS OF AGRICULTURAL HOLDINGS form provided in this application pack.

Once you have served this notice you should tick the box next to certificate (b) and list the names and addresses of the tenant(s) notified, together with the date on which the notice was served.

Finally, please sign and date the form in the appropriate spaces.

9. DECLARATION

Please check that you have completed questions 1-8 and Land Ownership Certificate (9) correctly. You must now sign the declaration below:

I hereby certify that the information given by me in this form is true and accurate to the best of my knowledge.

Signature of Applicant
(delete as appropriate)

Notice by Applicant to Owners

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 - Regulation 5(1)

Notice under regulation 5 to owner of land to which an application under regulation 6, 7 or 8 relates

An application for hazardous substances consent / hazardous substances consent without a condition which was attached to a previous consent / continuation of hazardous substances consent where there has been a change in the person in control of part of the land*

has been made by [note (a)]

for [note (b)]

at [note (c)]

[note (d)]

is being made to **East Ayrshire Council**

If you wish to obtain further information on the application or to make representations (including comments or questions) you should contact the planning authority by email at submittoPlanning@east-ayrshire.gov.uk

Details of the application, once submitted, can be viewed online at <https://eplanning.east-ayrshire.gov.uk/online/>

The application may be granted (either unconditionally or subject to conditions) or refused.

Signed:

*on behalf of [note (e)]

Date

Notes

- (a) Insert applicant's name and, where an agent is acting on behalf of the applicant, the name of that agent.
- (b) Insert a description of the proposal to which the application relates.
- (c) Insert the postal address of the land to which the application relates, or if the land in question has no postal address, a description of the location of the land.
- (d) If the proposal is a project, or part of a project, that is subject to a national or transboundary environmental impact assessment or to consultations between Member States in accordance with Article 14(3) of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p.1), state that fact.
- (e) Insert name of applicant if signed by an agent

*delete where not applicable