SCHEDULE 2

Form 1

PRESCRIBED FORMS, NOTICES AND CERTIFICATES

The Planning (Hazardous Substances) Act 1990 – Section 7(1)
The Planning (Hazardous Substances) Regulations 1992 (Regulation 5)

General application for Hazardous Substances Consent

1. **Applicant** *(IN BLOCK CAPITALS)*
   Address

   Tel No

   Agent *(if any)* to whom correspondence should be sent *(IN BLOCK CAPITALS)*
   Address

   Tel No
   Contact

2. **Address or location of application site**

3. **Substance(s) covered by application**

Name	Entry number in Schedule 1 to the 1992 Regulations	Maximum quantity proposed to be present (in tonnes)†

† or kilograms in the case of substances with entry numbers 21, 26 or 34

4. **Manner in which substance(s) to be kept and used**
   Provide the following information for each substance covered by the application *(referring to the substance location plan where appropriate)*

   (a) Tick one box below to show whether the substance will be present for storage only **or** will be stored and involved in a manufacturing, treatment or other industrial process:

Substance Entry number	Storage only	Stored **and** involved in industrial process

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

Vessel No*	Entry No of substance(s) to be stored in vessel	Installed above ground (yes†/no)	Buried (yes/no)	Mounded (yes/no)	Max capacity (cubic metres)	Highest vessel design temperature (°C)	Highest vessel design pressure (bar absolute)

* identify by reference to substance location plan
† if "yes", specify whether or not it will be provided with full secondary containment

(c) State for each substance the largest size *(capacity in cubic metres)* of any **moveable** container to be used for that substance:

(d) Where the substance is to be used in a **manufacturing, treatment or other industrial process*(es)***, give a general description of the process*(es)*, describe the major items of plant which will contain the substance; 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 pressure *(bar absolute)* at which the substance is liable to be present:

Substance entry No	Description of process(es)	Major items of plant*	Max quantity (tonnes)	Max temp (°C)	Max pressure (bar absolute)

* identify by reference to substance location plan

5. Additional Information

(a) Has any application for hazardous substance consent or planning permission relating to the application site been made which has not yet been determined? **YES/NO**

(b) Will any such application be submitted at the same time as this application? **YES/NO**

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

(c) **Plans.** Please list the maps or plans or any explanatory scale drawings of plant/buildings submitted with this application.

(d) Give any further information which you consider to be relevant to the determination of this application.

I/we hereby apply for hazardous substances consent in accordance with the proposals described in the application

Signed .....

on behalf of .....

(insert applicant's name if signed by agent)

Date .....

The Planning (Hazardous Substances) Act 1990 – Sections 13 and 17
The Planning (Hazardous Substances) Regulations 1992 (Regulation 5)

Application for either: ***(tick appropriate box)***

☐ **Hazardous Substances Consent without a condition(s) imposed on a previous consent (section 13)**

OR

☐ **Continuation of Hazardous Substances Consent following a change in control of part of the land (section 17)**

1. **Applicant** *(IN BLOCK CAPITALS)*
Address

Tel No

Agent *(if any)* to whom correspondence should be sent *(IN BLOCK CAPITALS)*
Address

Tel No
Contact

2. **Address or location of Application Site**

3. **Substances covered by application**

Name	Entry number in Schedule 1 to the 1992 Regulations	Maximum quantity proposed to be present (in tonnes)†

† or kilograms in the case of substances with entry numbers 21, 26 or 34

4. **In the case of an application for hazardous substances consent without a condition imposed on a previous consent (section 13)**

(a) identify the condition(s) previously imposed which it is intended should not be imposed on the consent, or should only be imposed in a modified form *(in the latter case, indicate the proposed modification)*–

(b) give the reasons why the condition(s) referred to in (a) should not be imposed or should only be imposed in a modified form–

(c) describe any relevant changes in circumstances since the previous consent was granted–

5. **In the case of an application for the continuation of hazardous substances consent(s) following a change in the person in control of part of the land (section 17)**

(a) describe the use of each area of the site identified in the accompanying change of control plan.

(b) describe any relevant changes in circumstances since the existing consent was granted.

6. Additional information

Give any further information which you consider to be relevant to the determination of the application–

I/we* hereby apply for hazardous substances consent/the continuation of hazardous substances consent* in accordance with this application.

* delete where inappropriate

Signed .....

on behalf of .....

(insert applicant's name if signed by agent)

Date .....

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992 (Regulation 6)

Notice of Application for Hazardous Substances Consent/ Continuation of Hazardous Substances Consent*

I give notice that *(a)* .....

is applying to the *(b)* .....

for hazardous substances consent/the continuation of hazardous substance consent* *(c)* .....

.....

.....

at *(d)* .....

.....

.....

Members of the public may inspect a copy of the application at *(e)* .....

.....

.....

during all reasonable hours until *(f)* .....

Anyone who wishes to make representations about this application should write to the *(b)* .....

.....

at *(g)* .....

.....

.....

by *(f)* .....

Signed: .....

*on behalf of .....

Date .....

* *delete where inappropriate*

Insert:

(a) applicant's name
(b) name of Council or other body to whom the application is to be made
(c) brief details of the consent being sought
(d) address or location of the application site
(e) address at which the application may be inspected (the applicant is required to make the application available for inspection at a place within the locality of the application site)
(f) date giving a period of not less than 21 days, beginning with the date when the notice is published or first displayed on site (as the case may be)
(g) address of Council or other body to whom the application is to be made

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992 (Regulation 6)

Posting of Notice of Application Certificate

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.
- It 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.
- I/The applicant* took the following steps to protect and replace the notice:

(Give description of steps taken)

.....

.....

Signed .....

*On behalf of .....

Date .....

* *delete where inappropriate*

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992

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

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 at 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 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 at which notice was served

I have/The applicant has/The appellant has* taken all reasonable steps open to me/him/her* 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/him/her* 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 6 (for applications) or Form 7 (for appeals).

(d) Insert description of steps taken.

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992

Notice of Application for Hazardous Substances Consent/ Continuation of Hazardous Substances Consent*

To be served on an owner
("owner" means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.)

I give notice that *(a)* .....

is applying to the *(b)* .....

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

.....

.....

at *(d)* .....

.....

.....

You may inspect a copy of the application at *(e)* .....

.....

.....

within 21 days of the service of this notice.

If you wish to make representations about this application you should write to the *(b)* .....

.....

at *(f)* .....

.....

.....

within 21 days of the service of this notice.

Signed: .....

*on behalf of .....

Date .....

* delete where inappropriate

Insert:

(a) applicant's name
(b) name of Council or other body to whom the applicaton is to be made
(c) brief details of the consent being sought
(d) address or location of the application site
(e) address at which the application may be inspected (the applicant is required to make the application available for inspection at a place within the locality of the application site)
(f) address of Council or other body to whom the application is to be made

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992 (Regulation 13)

Notice of Appeal

To be served on an owner
("owner" means a person having a freehold interest or a tenancy the unexpired term of which is not less than 7 years.)

I give notice that *(a)* .....

having applied to the *(b)* .....

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

.....

.....

at *(d)* .....

.....

.....

is appealing to the Secretary of State for the Environment/Secretary of State for Wales*

– 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, Tollgate House, Houlton Street, Bristol BS2 9DJ/the Planning Inspectorate, Cathays Park, Cardiff CF1 3NQ* within 21 days of the date of service of this notice.

Signed: .....

*on behalf of .....

Date .....

* delete where inappropriate

Insert:

(a) appellant's name
(b) name of Council or other body to whom the application was made
(c) brief details of the consent being sought
(d) address or location of the application site

The Planning (Hazardous Substances) Act 1990 – Section 11
The Planning (Hazardous Substances) Regulations 1992 (Regulation 14)

Part 1 Claimant and Site

1. **Claimant** *(IN BLOCK CAPITALS)*
   Address

   Tel No

   Agent *(if any)* to whom correspondence should be sent *(IN BLOCK CAPITALS)*
   Address

   Tel No
   Contact

2. **Full postal address or location of land to which the claim relates**

3. **General description of activities carried on at the site during the establishment period**

Part 2 - Substances for which consent is being claimed and established quantity

Table A

To be completed for substances notified to HSE*(a)* under NIHHS*(b)* before the relevant date*(c)*

1 Name of Substance(s) present during establishment period*(d)*	2 Entry number in Schedule 1 to the 1992 Regulations*(e)*	3 Quantity last notified to HSE(a) before the relevant date*(c)*	4 Quantity notified before start of the establishment period*(d)* (if applicable)	5 Established quantity*(f)*

Table B

To be completed for substances **not** required to be notified under NIHHS before the relevant date*(c)* and where a quantity not less than the controlled quantity *(h)* was present at any one time during the establishment period*(d)*.

1 Name of Substance(s) present during establishment period*(d)*	2 Entry number in Schedule 1 to the 1992 Regulations*(e)*	3 Maximum quantity present during establishment period*(d)*	4 Established quantity*(g)*

Notes to part 2

(a) "HSE" stands for the Health and Safety Executive.
(b) 'NIHHS" stands for the Notification of Installations Handling Hazardous Substances Regulations 1982.
(c) The relevant date is 1st June 1992.
(d) The establishment period is the 12 months period immediately preceding the relevant date.
(e) The "1992 Regulations" means the Planning (Hazardous Substances) Regulations 1992.
(f) The established quantity in Table A for a substance is the quantity in column (3) of that table for the substance, or twice the quantity specified in column (4) for that substance, if greater.
(g) The established quantity in Table B for a substance is the quantity specified in column (3) of that table for that substance multiplied by 1.5.
(h) The "controlled quantity" means the quantity specified for that substance in column 2 of the table in Part 1 of Schedule 1 to the 1992 Regulations.

Part 3 – Moveable Container Storage Areas

For each area identified in any moveable container storage area plan which accompanies this claim specify–

(a) the maximum quantity of the hazardous substance stored in the area in moveable containers at any time during the establishment period–

(b) whether the substance was stored in a moveable container with a capacity in excess of 10% of the substance's controlled quantity in that area during that period and, if so, the capacity (in tonnes) of the largest moveable container in which the substance was so stored–

Part 4 – Vessel Capacity, Temperature, and Pressure

(see next page)

Part 4 Vessel Capacity, Temperature and Pressure – Table C

		Below ambient temperature *(b)*		At ambient temperature *(c)*				Above ambient temperature *(d)*				
		1(e)	*2(f)*	*3(g)*	*4(h)*	*5(i)*	*6(j)*	*7(k)*	*8(l)*	*9(m)*	*10(n)*	*11(o)*
Vessel area *(a)*	Entry number of substance in Schedule 1 to the 1992 Regulations	**Largest capacity vessel**	**Highest vessel design pressure**	Buried or mounded vessels **largest capacity vessel**	Buried or mounded vessels **highest vessel design pressure**	Non buried or non mounded vessels **largest capacity vessel**	Non buried or non mounded vessels **highest vessel design pressure**	Present at or below boiling point at 1 bar **largest capacity vessel**	Present at or below boiling point at 1 bar **highest vessel design pressure**	**Highest design temperature**	Present at above boiling point at 1 bar **largest capacity vessel**	Present at above boiling point at 1 bar **highest vessel design pressure**

Notes to Part 4 – Table C

(a) This table should be completed for each vessel area identified in any vessel location plan which accompanies this claim, with a separate row being completed for each hazardous substance in that vessel area.

(b) Only complete columns 1 and 2 in respect of a vessel area in which the substance was present in a vessel at below ambient temperature at any time during the establishment period.

(c) Only complete columns 3 to 6 in respect of a vessel area in which the substance was present in a vessel at ambient temperature at any time during the establishment period.

(d) Only complete columns 7 to 11 in respect of a vessel area in which the substance was present in a vessel at above ambient temperature at any time during the establishment period.

(e) **Column 1** Enter the capacity *(in cubic metres)* of the largest capacity vessel in which the substance was present in the relevant vessel area at below ambient temperature at any time during the establishment period.

(f) **Column 2** Only complete if the substance was present in a vessel at above atmospheric pressure at below ambient temperature in the relevant vessel area at any time during the establishment period.

To complete, enter the highest vessel design pressure of any vessel in which the substance was present in the relevant vessel area at above atmospheric pressure at below ambient temperature at any time during the establishment period.

(g) **Column 3** Only complete if the substance was present at ambient temperature in a vessel which was buried or mounded in the relevant vessel area at any time during the establishment period.

To complete, enter the capacity *(in cubic metres)* of the largest capacity buried or mounded vessel in which the substance was present at ambient temperature in the relevant vessel area at any time during the establishment period.

(h) **Column 4** Only complete if the substance was present at above atmospheric pressure at ambient temperature in a vessel which was buried or mounded in the relevant vessel area at any time during the establishment period.

To complete, enter the highest vessel design operating pressure of any buried or mounded vessel in which the substance was present in the relevant vessel area at above atmospheric pressure at ambient temperature at any time during the establishment period.

(i) **Column 5** Only complete if the substance was present at ambient temperature in a non-buried or non-mounded vessel in the relevant vessel area at any time during the establishment period.

To complete, enter the capacity *(in cubic metres)* of the largest capacity non-buried or non-mounded vessel in which the substance was present at ambient temperature in the relevant vessel area at any time during the establishment period.

(j) **Column 6** Only complete if the substance was present at above atmospheric pressure at ambient temperature in a non-buried or non-mounded vessel in the relevant vessel area at any time during the establishment period.

To complete, enter the highest vessel design operating pressure of any non-buried or non-mounded vessel in which the substance was present in the relevant vessel area at above atmospheric pressure at ambient temperature at any time during the establishment period.

(k) **Column 7** Only complete if the substance was present in a vessel at above ambient temperature at or below its boiling point at 1 bar absolute in the relevant vessel area at any time during the establishment period.

To complete, enter the capacity *(in cubic metres)* of the largest capacity vessel in which the substance was present at above ambient temperature at or below its boiling point at 1 bar absolute in the relevant vessel area at any time during the establishment period.

(l) **Column 8** Only complete if the substance was present at above atmospheric pressure at above ambient temperature at or below its boiling point at 1 bar absolute in a vessel in the relevant vessel area at any time during the establishment period.

To complete, enter the highest vessel design operating pressure of any vessel in which the substance was present at above atmospheric pressure at above ambient temperature at or below its boiling point at 1 bar absolute in a vessel in the relevant vessel area at any time during the establishment period.

(m) **Column 9** Enter the highest design operating temperature *(in centigrade)* of any vessel in which the substance was present at above ambient temperature in the relevant vessel area at any time during the establishment period.

(n) **Column 10** Only complete if the substance was present in a vessel at above its boiling point at 1 bar absolute in the relevant vessel area at any time during the establishment period.

To complete, enter the capacity *(in cubic metres)* of the largest capacity vessel in which the substance was present at above its boiling point at 1 bar absolute in the relevant vessel area at any time during the establishment period.

(o) **Column 11** Only complete if the substance was present at above atmospheric pressure above its boiling point at 1 bar absolute in a vessel in the relevant vessel area at any time during the establishment period.

To complete, enter the highest vessel design operating pressure of any vessel in which the substance was present at above atmospheric pressure at above its boiling point at 1 bar absolute in a vessel in the relevant vessel area at any time during the establishment period.

Part 5

I/We hereby claim hazardous substances consent in accordance with the information provided(a).

Signed .....

on behalf of .....

Date .....

Notes to Part 5

(a) The hazardous substances authority is required to notify you within 2 weeks from receipt of the claim if, in their opinion, the claim is invalid and to give their reasons for that opinion. If the claim is valid that authority shall be deemed to have granted the hazardous substances consent claimed, subject to the conditions set out in section 11(7) of the Planning (Hazardous Substances) Act 1990 and Schedule 3 to the Planning (Hazardous Substances) Regulations 1992.