



FORM 12

The Planning (Hazardous Substances) (Scotland) Act 1999 -section 10A

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 (Regulation 15) and the Planning (Control of Major–Accident Hazards) (Scotland) Regulations 2009(a).

Claim for Deemed Consent

Part 1: Details of claimant and site

1. Full name and Address of claimant (IN BLOCK CAPITALS)

Telephone No:

Name and address of Agent (if any) (IN BLOCK CAPITALS) to whom correspondence should be sent:

Telephone No:

2. Address or location of land to which the claim relates (please provide the O.S. grid reference):

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

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

- (a) Please complete the Table A for every hazardous substance for which you are claiming a consent. Please refer to the notes below.
- (b) Please list named substances falling within Part A of Schedule 1 to the 1993 Regulations (a) first, then any substances falling within the categories in Part B of that Schedule; finally list substances falling within the description in Part C.
- (c) Substances falling within Parts B or C of Schedule 1 to the 1993 Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part A or B please list under Part A only; where a substance falls within more than one category in Part B please list under the category which has the lowest controlled quantity (b). Where a substance falling within Part A or B also falls within Part C please list under the Part which has the lowest controlled quantity.

TABLE A

| <i>Hazardous Substances present during establishment period (c) for which consent not required during that period</i> | <i>Part and entry number (d) in Schedule 1 to the 1993 Regulations</i> | <i>Established Quantity(e)</i> |
|---|--|--------------------------------|
| | | |

Notes to Part 2

(a) the "1993 Regulations" are the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993, as amended by the Planning (Control of Major-Accident Hazards (Scotland) Regulations 2000.

(b) The "controlled quality" means the quantity specified for that substance in column 2 of Parts A, B or C of Schedule 1 to the 1993 Regulations, calculated in accordance with the notes to that Schedule.

(c) The "establishment period" is the period of 12 months immediately preceding the relevant date. The "relevant date" is 6th July 2000.

(d) For Part C, state the Part only.

(e) The "established quantity" is the maximum quantity present during the establishment period.

Part 3: Moveable Container Storage Areas

For each area identified in any moveable container storage area plan which accompanies this claim, please 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, category or description of 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 5

I/We hereby claim hazardous substances consent in accordance with the information on behalf of.....**(insert applicant's name if signed by agent)**

Date

(a) The "1993 Regulations" are the ****Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993, as amended by the Planning (Control of Major-Accident Hazards) (Scotland) Regulations 2000 and the Planning (Control of Major-Accident Hazards) (Scotland) Regulations 2009).**

(b) The "controlled quantity" means the quantity specified for that substance in column 2 of Parts A, B or C of Schedule 1 to the 1993 Regulations, calculated in accordance with the Notes to that Schedule.

(c) For Part C, state the Part only.

****Schedule 1 of the 1993 regulations has been replaced with a revised schedule which came into force on 23 November 2009. A copy of the regulations can be found on the Council's website. www.fifedirect.org.uk**

The Council is required to notify you within 2 weeks from the date of 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 10A(a) of the Planning (Hazardous Substances) (Scotland) Act 1997 and Schedule 3 to the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 as applied or amended by the Planning (Control of Major-Accident Hazards) (Scotland) Regulations 2000 and the Planning (Control of Major-Accident Hazards) (Scotland) Regulations 2009).

Data Protection Act 1998

The information on this form will be used for processing this application and will be held in the Planning Application Register to which public access is required. The data will also be available to members of the public via the Council's website and the Online Planning Regulations Register. Information may also be disclosed under the Freedom of Information (Scotland) Act 2002.