# 1993 No. 276 (C. 11)

## PLANNING

## Planning (1991 Order) (Commencement No. 2) Order (Northern Ireland) 1993

*Made . . . . . 18th June 1993*

The Department of the Environment, in exercise of the powers conferred on it by Article 1(3) of the Planning (Northern Ireland) Order 1991(**a**), paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(**b**) and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation*

**1.** This Order may be cited as the Planning (1991 Order) (Commencement No. 2) Order (Northern Ireland) 1993.

*Commencement*

**2.** The day appointed for the coming into operation of Articles 53 to 63 and 81 of the Planning (Northern Ireland) Order 1991 shall be 1st August 1993.

Sealed with the Official Seal of the Department of the Environment on 18th June 1993.

(L.S.) *J. McConnell*
Assistant Secretary

(a) S.I. 1991/1220 (N.I. 11); *see* Art. 2(2) for the definition of "the Department"
(b) 1974 c. 28

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order brings into operation on 1st August 1993 those provisions of the Planning (Northern Ireland) Order 1991 which are not already in operation ie, Articles 53 to 63 and 81.

Article 53 provides that the presence on, over or under land of a hazardous substance equal to or in excess of the controlled quantity (as specified by regulations) requires the consent of the Department of the Environment. Articles 54, 55 and 56 deal with applications for hazardous substances consent, determination of applications and a special procedure for major applications. Article 57 provides that where hazardous substances consent is refused or granted subject to conditions the applicant may appeal to the planning appeals commission.

Article 58 deals with applications for the grant of hazardous substances consent without compliance with a condition subject to which a previous consent was granted.

Article 59 deals with revocation and modification of hazardous substances consent, Article 60 with the effect of hazardous substances consent and change of control of land and Article 61 with offences for contravention of hazardous substances control.

Articles 62 and 63 relate to emergencies and health and safety requirements.

Article 81 deals with hazardous substances contravention notices.