



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Hazardous Substances Contravention Notices



1. Enforcement of hazardous substances controls is the responsibility of the hazardous substances authority. Contravention of hazardous substances control can be a serious and immediate risk to people in the area. If somebody is operating without consent then the hazardous substances authority can serve a contravention notice on the operator, setting out what should be done to rectify the situation. Requirements for a notice are set out in section 23 of the Planning (Hazardous Substances) Act 1990.

2. Do I have the right to make an appeal?

2.1. You, or an agent acting on your behalf, can appeal if you were a person served with a Contravention Notice. The Authority must serve the Notice on:

- the owner;
- the person in control of the land; and
- any other person with an interest in the land to which the notice relates.

3. How do I appeal?

3.1. Your appeal should be made on the Hazardous Substances Contravention Notice appeal form obtained from PINS Wales. The appeal form is available online, please use the link below. If you require a hard copy please contact our office. Before completing the appeal form please read our guidance in [Annexe 01 – How to Complete and Submit Your Appeal](#);

<http://gov.wales/topics/environmentcountryside/consmanagement/rights-of-way-and-wider-access/countryside-area/environmental-appeals/hazardous-substances-appeal/?lang=en>

4. Procedure

4.1. The Welsh Ministers have delegated the appeal functions to the Planning Inspectorate Wales "PINS Wales". The Planning (Hazardous Substances) (Wales) Regulations 2015, as amended by the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017, specifically Part 4 (Written Representations) Regulation 22, sets out the procedures to be followed. For further information on the procedures please see the main [Procedural Guide](#) and [Annexe 02](#).