



Statutory Document No. 254/05

THE PUBLIC HEALTH ACT 1990
THE TOWN AND COUNTRY PLANNING ACT 1999
**THE PLANNING AND WASTE DISPOSAL (CONCURRENT PROCEEDINGS)
REGULATIONS 2005**

Approved by Tynwald

17th May 2005

Coming into operation

1st November 2005

In exercise of the powers conferred on the Department of Local Government and the Environment by section 59(2) of the Public Health Act 1990¹ and section 10(7) of the Town and Country Planning Act 1999², and of all other enabling powers, the following Regulations are hereby made:—

1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Planning and Waste Disposal (Concurrent Proceedings) Regulations 2005 and, subject to section 94(3) of the 1990 Act and section 44(1) of the 1999 Act, shall come into operation on 1st November 2005.

(2) In these Regulations —

"the 1990 Act" means the Public Health Act 1990;

"the 1999 Act" means the Town and Country Planning Act 1999;

"the Department" means the Department of Local Government and the Environment;

"controlled waste" and "disposal licence" have the same meanings as in the 1990 Act;

"development order" and "planning approval" have the same meanings as in the 1999 Act.

¹ 1990 c.10

² 1999 c.9

Price: 40p Price Code: A

2. Concurrent procedure for planning approval and disposal licence

- (1) Where applications have been made to the Department —
 - (a) under section 59(1) of the 1990 Act for a disposal licence, and
 - (b) in accordance with a development order for planning approval,

for any use of land, plant or equipment for the disposal or treatment of controlled waste falling within section 57(1) of the 1990 Act, the following provisions of this regulation shall have effect to secure that the applications may be considered at the same time, and that any proceedings connected with either application may be conducted concurrently with any proceedings connected with the other.

(2) The Department may, at the same time as or after notice of the application for planning approval is given to any other person in accordance with a development order, refer the proposal to issue a disposal licence in accordance with section 59(4)(a) of the 1990 Act.

(3) The Department may, at the same time as or after notice of the application for planning approval is published in accordance with a development order, publish notice of its proposal to issue a disposal licence in accordance with section 59(4)(b) of the 1990 Act.

(4) Any other proceedings required to be taken in connection with the consideration of the application for a disposal licence may be taken concurrently with the proceedings required to be taken in connection with the application for planning approval.

MADE 19th April 2005

John Rimington

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations enable applications to the Department of Local Government and the Environment for planning approval and a disposal licence in connection with the use of land, plant or equipment for the disposal or treatment of controlled waste to be dealt with concurrently.