

SCHEDULE 9

(introduced by section 46)

CODE OF CONSTRUCTION PRACTICE

- 1 Before commencing construction of the authorised works located in the area of a local planning authority the authorised undertaker shall secure that the code of construction practice is submitted to that local planning authority for its written approval.
- 2 The local planning authority shall send a copy of every code submitted pursuant to paragraph 1, and any amendment or replacement proposed by the authorised undertaker pursuant to paragraph 3, to SNH and SEPA and shall take account of any representations made to the local planning authority by either of those bodies.
- 3 The authorised undertaker may with the approval of the local planning authority amend or replace the code of construction practice.
- 4 In approving the code of construction practice or any amendment or replacement submitted under this schedule, the local planning authority may require the authorised undertaker to make amendments to the code or to the amendment or replacement as the case may be.
- 5 For the purpose of any appeal against a decision of a local planning authority under this schedule, an application for approval under paragraph 1 or 3 shall be deemed to be an application for planning permission made under section 32 of the 1997 Act.
- 6 In this schedule—
 - “SEPA” means the Scottish Environment Protection Agency established under section 20 of the Environment Act 1995 (c. 25); and
 - “SNH” means Scottish Natural Heritage established under section 1 of the Natural Heritage (Scotland) Act 1991 (c. 28).