

Application to the relevant planning authority

The Planning (Hazardous Substances) (Scotland) Act 1997 - Section 11

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (Regulation 7)

Application for modification or removal of a condition(s) attached to an existing hazardous substances consent

[application for Hazardous Substances Consent without a condition(s) subject to which a previous consent was granted]

1	<b>Applicant</b> Address	Royal Elizabeth Bond Limited
		68 Grafton Way
		London
	Post code	W1T5DS
	Telephone number	██████████
	<b>Agent acting on behalf of the applicant</b> Address	
	Post code	
	Telephone number	

Correspondence (including any Notice) to be sent to the agent instead of the applicant? **Yes or No?**

No
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2	<b>Address or other location details of application site</b>	Royal Elizabeth Yard, Kirkliston
	Post code	EH29 9EN
	OS grid ref	NT 14039 76327

### 3 Substances covered by the application

[consented substance(s) for which a variation in condition(s) is being applied for]

- (a) In the Table below, list named substances falling within Part 2 of Schedule 1 to the Regulations first, then list any substances falling within the categories in Part 1 of that Schedule; finally list substances falling within the description in Part 3.
- (b) Substances falling within Parts 1 or 3 of Schedule 1 to the Regulations may be listed under the relevant category or description or named specifically. Where a substance falls within Part 1 and 2 list under Part 2 only; where a substance falls within more than one category in Part 1 list under the category which has the lowest controlled quantity. Where a substance falling within Part 1 or 2 also falls within Part 3 list under the Part which has the lowest controlled quantity. The “controlled quantity” means the quantity specified for that substance in column 2 of Parts 1, 2 or 3 of Schedule 1 to the Regulations.

<i>Name or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Maximum quantity proposed to be present (in tonnes)</i>
Distilled Spirit	Part 1 – Entry P5c	213,067
Gas oils (diesel, heating, blending streams)	Part 1 – Entry E2	1

### 4 Application for modification or removal of a condition(s) attached to a previous consent

- (a) Describe any condition previously attached to the relevant consent which it is proposed should no longer be attached to the consent, or which should only be attached in a modified form. In the latter case, indicate the proposed modification–

<i>No.</i>	<i>Condition previously attached</i>	<i>Action (modification or removal)</i>	<i>If modification, details of proposed modification</i>
1	The hazardous substance(s) shall not be kept or used other than in accordance with the particulars provided on the application form, nor outside the area(s) marked for storage of the substance(s) on the plan which formed part of the application.	modification	This modification updates storage quantities for the Cask Warehouses, FSDU Day Tank, and Tank Farm consented in Application 22/05925/HSC. Eight existing warehouses on site, which will be converted or upgraded for palletised cask storage, have also been added.

(b) Give the reasons why the condition(s) referred to in (a) should not be attached, or should only be attached in a modified form–

<i>No.</i>	<i>Reason</i>
1	Construction of the storage areas as consented in Application 22/05925/HSC has not started.  An alternative storage plan for the site has been created and this application is for modification of the condition attached to the existing hazardous substances consent as per the new Site Location Plan and below.

(c) Describe any relevant changes in circumstances since the date of the relevant consent–

The following Tables list the Substances and quantities that should be applied to this variation to consent 22/05925/HSC.

*Table C (i)*

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
Spirit Tank 1	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
Spirit Tank 2	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
Spirit Tank 3	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
Spirit Tank 4	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
Spirit Tank 5	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
Spirit Tank 6	Part 1-P5c	Yes	No	No	66	65°C	1.213 bar A
FSDU Day Tank	Part 1-P5c	Yes	No	No	2	100°C	1.063 bar A
Sprinkler Pump House (External Tank)	Part 1 – E2	Yes	No	No	1	50°C	0.069 bar A

*Table C (ii)*

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
Existing Warehouse 1	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 2	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 3	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 4	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 5	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 6	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 7	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
Existing Warehouse 8	Part 1 – P5c	Yes	No	No	2,580	Atmospheric	Atmospheric
New Racked Warehouse 1	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 2	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
New Racked Warehouse 3	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 4	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 5	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 6	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 7	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 8	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 9	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 10	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
New Racked Warehouse 11	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 12	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 14	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 15	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 16	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 17	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 18	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 19	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
New Racked Warehouse 20	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 21	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 22	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 23	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 24	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 25	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 26	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 27	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
New Racked Warehouse 28	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 29	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 30	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 31	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 32	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 33	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 34	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 35	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric

<i>Vessel No*</i>	<i>Substance including Part no. in Sch. 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Installed above ground† (Yes/No)</i>	<i>Buried (Yes/No)</i>	<i>Mounded (Yes/No)</i>	<i>Maximum capacity (cubic metres)</i>	<i>Highest vessel design temperature °C</i>	<i>Highest vessel design pressure (bar absolute)</i>
New Racked Warehouse 36	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 37	Part 1 – P5c	Yes	No	No	5,520	At+mospheric	Atmospheric
New Racked Warehouse 38	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 39	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 40	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Racked Warehouse 41	Part 1 – P5c	Yes	No	No	5,520	Atmospheric	Atmospheric
New Warehouse 42	Part 1 – P5c	Yes	No	No	4,180	Atmospheric	Atmospheric

- (d) Where a substance, category or description of substance is to be used in a **manufacturing, treatment or other industrial process(es)**, give a general description of the process(es), describe the major items of plant which will contain the substance(s); and state the maximum quantity (in tonnes) which is liable to be present in the major items of the plant, and the maximum temperature (°C) and pressure (bar absolute) at which the substance, category or description of substance is liable to be present:

Table D

<i>Substance including Part no. in Schedule 1 to the Regs, and entry no. if Part 2, category if Part 1, identity if Part 3</i>	<i>Description of process(es)</i>	<i>Major items of plant*</i>	<i>Max. quantity (tonnes)</i>	<i>Max. temp. (°C)</i>	<i>Max. pressure (bar absolute)</i>
Part 1-P5c	FSDU	Filling Heads	2.6	65°C	6.383 bar A
Part 1-P5c	FSDU	Disgorging Troughs	2.6	Atmospheric	Atmospheric

\* identify by reference to substance location plan

## 5 Additional Information

Give any additional information which you consider to be relevant to the determination of this application—

### Maturation Warehouses

- Existing warehouses – Casks stored in palletised layout. Max 5 Casks high (5 Pallets).
- New Racked Warehouses – Casks stored in metal racks around 14 high, loaded by VNA cask stacker with proprietary cask handling attachment
- New warehouse 42 – Casks stored in metal racks around 9 high, loaded by forklift stacker with proprietary cask handling attachment.

Substances will be transported to and from site in 40 Foot Articulated vehicles (up to 20 vehicle Movements per day

This variation to the Racked HSC consent (Application 22/05925/HSC) is sought for the short-term transitional period, whereby Phase I of the development of new warehouses on site are built and will operate alongside Existing warehouses on site. This period is expected to last until the end of 2027.

The site will be controlled and operated by Royal Elizabeth Bond Limited (REBL) on behalf of the landowner Cinnamon Sedge LLP.

The present position is that WH6 are occupied by The Holyrood Distillery Company (“Holyrood”). WH6 is used for the storage of whisky at sub-COMAH level. It is understood that Holyrood store approximately 5,200 casks in this building. WH5 is leased to Summerhall Distillery and Elite Wine and Whisky Limited and is used for the storage of alcohol estimated up to 6,000 casks. The total alcohol stored at present is around 3,200 tonnes. The alcohol is stored on pallets up to 5 casks high. The operation of these warehouses will be taken over by REBL in due course as the existing short term leases expire.

The new warehouses will be constructed on site and then controlled and operated by REBL under a formal Operating Agreement with CSLLP as bonded warehouses for storage of cask spirit for various customers. They will be fitted out with metal racks up to 14 barrels high and each will store up to 27,600 casks of flammable spirit (4.78 tonnes).

A new warehouse (Warehouse 42) will be built at the South East of the site will be controlled and operated by REBL under an Operating Agreement with CSLLP as a bonded warehouse for storage of cask spirit for various customers. It will store up to 20,000 casks of flammable spirit (3.64 tonnes). The land will be fenced off from the main site and will have independent facilities including separate access which will still be operated by REBL. Provision for SuDS and fire water containment will also be allowed for. It will be a sub-COMAH establishment.

REBL are proceeding on the basis that the existing warehouses are operated by the tenants who are complying with relevant regulations for the storage of flammable spirits. The leases from CSLLP to individual tenants include clauses that tenants *“must not use the Premises in such a manner so as to breach the consents, rights or operation of any Health and Safety Certificates or the COMAH status granted to REBL in connection with the Premises or so as to effect the integrity or containment of contamination within the Estate”*. These warehouses are included in this variation to the existing HSC Consent as the operation of these warehouses will be taken over by REBL in due course as the existing short term leases expire.

In the transition period the existing warehouses *may* be used as incubator units for tenants of the new warehouses. If flammable spirits are stored in these buildings they will be upgraded to meet the relevant building regulations in terms of firewalls, electrical installations and venting. The viability of this is not a relevant consideration for the HSC.

All Warehouses used for storage will meet the following criteria:

- (i) Any rooms in, and attached to, the Maturation Warehouse(s), will not be occupied (the presence of people for more than two hours in any 24 hour period).
- (ii) Provision will be made such that any loss of containment (including that from a progressive stack fire) will be held within footprint of the Maturation Warehouse(s); or any sprit discharge will be controlled such that the flammable material cannot run off-site, or lead to escalation involving other storage or processes areas which hold flammable spirit (and will not impact occupied buildings).
- (iii) The atmosphere in the Maturation Warehouse(s), will be below 25% LFL ethanol under all ambient conditions; and workforce exposure will not exceed the current occupational thresholds.

**Attach** in relation to any relevant consent, **a copy of the consent**.

**Attach a change of location plan** if the application relates to a condition restricting the location of a hazardous substance.

A **“change of location plan”** is a plan of the land to which the application relates, drawn to a scale of not less than 1:2,500 which identifies the location of the hazardous substance at the date of the application, and the proposed location requiring the application.

The following maps and plans are included to support this variation application:

EC22407-001000c **Site Map**

EC22407-28148g **Substance Location Plan**

EC22407-00184d Proposed Pallet Layout Fire Strategy Racked Warehouses 1-8: **FOR INFORMATION**

EC22407-00185d Typical Warehouse Refurbishment Proposed Works Racked Warehouses 1-8: **FOR INFORMATION**

I/We hereby apply for hazardous substances consent in accordance with this application

Signed *Glen Maloney*

on behalf of Royal Elizabeth Bond Ltd  
(insert name of person in control of the land if different to applicant)

Date 14.07.25

To be accompanied by the certificate completed in accordance with regulation 5(2) of the Regulations (notice to owner by applicant), and the fee payable under regulation 55 of the Regulations.