

## SCHEDULES

### SCHEDULE 2

#### PROVISIONS APPLICABLE WHERE LOCAL AUTHORITY CARRIES OUT REMEDIAL OPERATIONS ON DISUSED TIP OF WHICH IT IS OWNER

- 7 (1) In any case where—
- (a) a local authority has carried out remedial operations in the circumstances referred to in paragraph 1 above, and
  - (b) an order has been made under section 19 requiring any person to make a contribution towards the expenses otherwise falling to be borne by the local authority, as owner of the disused tip, and
  - (c) a grant has been made under section 25 and the Minister proposes to give a direction under section 25(4),
- section 25(4) shall have effect as if, for the words from “recoverable” to “section 23(1)” there were substituted the words “recoverable from any contributories under paragraph 6 of Schedule 2 to this Act in respect of the expenditure referred to in paragraphs (a) to (c) of sub-paragraph (1) of that paragraph”, and section 25(5) shall not apply.
- (2) Where sub-paragraph (1) above applies, then, in relation to the recovery of any sum from a contributory under paragraph 6 above, that paragraph shall have effect subject to the following modifications—
- (a) the amount recoverable under sub-paragraph (1) thereof shall be limited to the specified percentage of the amount specified in the direction;
  - (b) a demand under sub-paragraph (2) shall state that the direction has been given and shall state the amount specified in the direction;
  - (c) in sub-paragraph (2), paragraph (a) shall be construed as applying to the total amount which would have been recoverable by the local authority under paragraph 6 if no direction had been given; and
  - (d) in paragraph (c) of sub-paragraph (4), for the words from “aggregate” onwards there shall be substituted the words “amount specified in the direction”.

**Changes to legislation:**

There are currently no known outstanding effects for the Mines And Quarries (Tips) Act 1969, Paragraph 7.