



Town and Country Planning (Scotland) Act 1972 (repealed 27.5.1997)

1972 CHAPTER 52

PART VIII

COMPENSATION FOR OTHER PLANNING RESTRICTIONS

Supplementary provisions

[^{F1}167A Regulations as to compensation in respect of orders relating to mineral working —meaning of “mineral compensation modifications”.

- (1) The Secretary of State may by regulations made with the consent of the Treasury direct that sections 153, 159, 167, 226, and 227 of this Act shall have effect, where mineral compensation requirements are satisfied, subject, in such cases as may be specified in the regulations, to such modifications as may be so specified.
- (2) Any such regulations shall make provision as to circumstances in which compensation is not to be payable.
- (3) Any such regulations shall make provision—
 - (a) for the modification of the basis on which any amount to be paid by way of compensation is to be assessed; or
 - (b) for the assessment of any such amount on a basis different from that on which it would otherwise have been assessed.
- (4) Regulations made by virtue of subsection (3)
 - (a) of this section in relation to compensation where an order is made under section 42 or 49 of this Act shall provide that the amount of the compensation under section 153 or, as the case may be, 159 of this Act, shall be reduced—
 - (a) by the prescribed sum; or
 - (b) by a sum equal to the prescribed percentage of the appropriate sum.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1972 (repealed 27.5.1997), Section 167A. (See end of Document for details)

- (5) In subsection (4) of this section “the appropriate sum” means the product of the sum which represents the annual value of the right to win and work minerals at the site to which the order relates and a multiplier which the Secretary of State considers appropriate having regard to the period at the expiration of which the minerals in, on or under that site might be expected to be exhausted if they continued to be extracted at the rate which has been assumed for the purpose of calculating the annual value of the right to win and work them.
- (6) The prescribed percentage shall not be more than 10 per cent.
- (7) The annual value of the right to win and work the minerals shall be calculated in the prescribed manner.
- (8) In this Act “mineral compensation modifications” means modifications specified in regulations made by virtue of this section.
- (9) Regulations under this section—
- (a) may make different provision for different cases; and
 - (b) may include such incidental or supplementary provisions as the Secretary of State considers expedient.
- (10) No regulations under this section shall have effect until approved by a resolution of each House of Parliament.
- (11) Before making any such regulations the Secretary of State shall consult such persons or bodies of persons as appear to him to be representative—
- (a) of persons carrying out mining operations;
 - (b) of owners of interests in land containing minerals; and
 - (c) of planning authorities.]

Textual Amendments

F1 Ss. 167A—167C inserted by [Town and Country Planning \(Minerals\) Act 1981 \(c. 36\), ss. 31, 35](#)

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1972 (repealed 27.5.1997), Section 167A.