



# Opencast Coal Act 1958

## 1958 CHAPTER 69

### PART I

#### AUTHORISATION OF, AND FACILITIES FOR, OPENCAST WORKING OF COAL

#### **3 Preservation of amenity**

- (1) Where for the purposes of section one or section two of this Act—
- (a) the Board are formulating any proposals as to the working of coal by opencast operations or the carrying out of operations connected therewith, or
  - (b) the Minister is considering any such proposals, whether in relation to the granting of an authorisation under section one or to the imposition of conditions under the last preceding section

the Board or the Minister, as the case may be, having regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest, and of protecting buildings and other objects of architectural or historic interest, shall take into account any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, buildings or objects.

- (2) The provisions of the preceding subsection shall apply, with the necessary modifications, where—
- (a) the Board are formulating any proposals as to the restoration of land affected by the working of coal by opencast operations or by operations connected therewith, or
  - (b) the Minister is considering any such proposals, whether in relation to the granting of an authorisation under section one or to the imposition of conditions under the last preceding section,
- as those provisions apply in the circumstances mentioned in the preceding subsection.