



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART XIV

APPLICATION OF ACT TO SPECIAL CASES

Minerals

251 Power to modify Act in relation to minerals

- (1) In relation to development consisting of the winning and working of minerals, the provisions of this Act specified in Parts I and II of Schedule 19 to this Act shall have effect subject to such adaptations and modifications as may be prescribed by regulations made under this Act with the consent of the Treasury.
- (2) Regulations made for the purposes of this section shall be of no effect unless they are approved by resolution of each House of Parliament.
- (3) Any regulations made by virtue of subsection (1) of this section shall not apply—
 - (a) to the winning and working, on land held or occupied with land used for the purposes of agriculture, of any minerals reasonably required for the purposes of that use, including the fertilisation of the land so used and the maintenance, improvement or alteration of buildings or works thereon which are occupied or used for those purposes; or
 - (b) to development consisting of the winning and working of any minerals vested in the National Coal Board, being development to which any of the provisions of this Act relating to operational land of statutory undertakers apply by virtue of regulations made under section 259 of this Act; or
 - (c) to the winning and working of peat by any person for the domestic requirements of that person;

and nothing in subsection (1) of this section or in this subsection shall be construed as affecting the prerogative right of Her Majesty to any gold or silver mine.