



Coal Industry Act 1990

1990 CHAPTER 3

5 Opencast coal working: conservation requirements

For section 3 of the Opencast Coal Act 1958 (preservation of amenity) there shall be substituted—

“3 Preservation of amenity

In formulating any proposals as to the working of coal by opencast operations or the carrying out of operations incidental to such working or the restoration of land affected by such working or by such incidental operations, the British Coal Corporation (in this Act referred to as “the Corporation”) or any person who holds or is applying for a licence under section 36(2) of the Coal Industry Nationalisation Act 1946—

- (a) shall have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and
- (b) shall so far as possible ensure that the proposals include measures to mitigate any adverse effect which the proposed activities may have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.”.