



Town and Country Planning Act 1990

1990 CHAPTER 8

PART XV **E+W**

MISCELLANEOUS AND GENERAL PROVISIONS

Application of Act in special cases

315 Power to modify Act in relation to minerals. **E+W**

- (1) In relation to development consisting of the winning and working of minerals [^{F1}or involving the depositing of mineral waste], the provisions specified in Parts I and II of Schedule 16 shall have effect subject to such adaptations and modifications as may be prescribed.
- (2) In relation to interests in land consisting of or comprising minerals (being either the fee simple or tenancies of such land) ^{F2}. . . , the provisions specified in Part III of Schedule 16 shall have effect subject to such adaptations and modifications as may be prescribed.
- (3) Regulations made for the purposes of this section may only be made with the consent of the Treasury and shall be of no effect unless they are approved by resolution of each House of Parliament.
- (4) Any regulations made by virtue of subsection (1) 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 on it which are occupied or used for those purposes; ^{F3} . . .
 - ^{F3}(b)
- (5) Nothing in subsection (1) or (4) shall be construed as affecting the prerogative right of Her Majesty (whether in right of the Crown or of the Duchy of Lancaster) or of the Duke of Cornwall to any gold or silver mine.

Status: Point in time view as at 24/08/2011.

Changes to legislation: Town and Country Planning Act 1990, Section 315 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 315(1) inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [ss. 21, 84\(2\)-\(4\)](#), [Sch. 1 para. 11](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))
- F2** Words in s. 315(2) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [ss. 31, 84\(6\)](#), [Sch. 6 para. 32](#), [Sch. 19](#), Pt. II (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))
- F3** S. 315(4)(b) and word “or” immediately preceding it repealed (1.11.1994) by [1994 c. 21, s. 67, Sch. 9 para. 39\(2\)](#), [Sch. 11 Pt. III](#) (with s. 40(7)); S.I. 1994/2552, [art. 3](#), [Sch. 2](#)

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