

Status: Point in time view as at 30/08/1995.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 9. (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINES AND WASTE

- 9 For section 116 (special basis for compensation in respect of certain orders affecting mineral working) there is substituted—

“116 Modification of compensation provisions in respect of mineral working etc.

- (1) Regulations made by virtue of this section with the consent of the Treasury may provide that where an order is made under—
- (a) section 97 modifying planning permission for development consisting of the winning and working of minerals or involving the depositing of mineral waste; or
 - (b) paragraph 1, 3, 5 or 6 of Schedule 9 with respect to such winning and working or depositing,
- sections 107, 115, 117, 279 and 280 shall have effect subject, in such cases as may be prescribed, to such modifications as may be prescribed.
- (2) Any such regulations may make provision—
- (a) as to circumstances in which compensation is not to be payable;
 - (b) for the modification of the basis on which any amount to be paid by way of compensation is to be assessed;
 - (c) for the assessment of any such amount on a basis different from that on which it would otherwise have been assessed,
- and may also make different provision for different cases and incidental or supplementary provision.
- (3) No such regulations shall be made unless a draft of the instrument is laid before and approved by a resolution of each House of Parliament.
- (4) Before making any such regulations the Secretary of State shall consult such 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 mineral planning authorities.”

Commencement Information

II Sch. 1 para. 9 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2067, art. 3

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