

*Status: Point in time view as at 01/03/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 4. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### REGISTRATION OF OLD MINING PERMISSIONS

##### **Modifications etc. (not altering text)**

- C1** Sch. 2 applied (with modifications) (7.6.2006) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [s. 87\(2\)\(b\)](#) (with [s. 111](#)); [S.I. 2006/1281](#), art. 2(a)

##### *General provisions about applications*

- 4 (1) An application under paragraph 1 or 2 above is an application which is—
- (a) made on an official form, and
  - (b) accompanied by an appropriate certificate.
- (2) The applicant must, so far as reasonably practicable, give the information required by the form.
- (3) Where the mineral planning authority receive an application under paragraph 1 or 2 above, they must as soon as reasonably practicable give to the applicant a written acknowledgement of the application.
- (4) Where the mineral planning authority determine an application under either of those paragraphs, they must as soon as reasonably practicable give written notice of their determination to the applicant.
- (5) An appropriate certificate is such a certificate—
- (a) as would be required under the provisions mentioned in sub-paragraph (6) or, as the case may be, (7) below to accompany the application if it were an application for planning permission for development consisting of the winning and working of minerals or, as the case may be, involving the depositing of mineral waste, but
  - (b) with such modifications as are required for the purposes of this Schedule.
- (6) For the purposes of paragraph 1 above, the provisions referred to in sub-paragraph (5) above are—
- (a) sections 66 to 68 of the principal Act (notification of owners and agricultural tenants) and any provisions of a development order made by virtue of those sections, or
  - (b) where section 16(1) of this Act is in force, any provision, corresponding to the provisions referred to in paragraph (a) above, of section 65 of that Act (notice etc. of applications) and of a development order made by virtue of that section.
- (7) For the purposes of paragraph 2 above, the provisions referred to in sub-paragraph (5) above are—

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- (a) sections 65 to 68 of the principal Act (publicity for applications) and any provision of a development order made by virtue of those sections, or
  - (b) where section 16(1) of this Act is in force, section 65 of that Act and any provision of a development order made by virtue of that section.
- (8) Section 68(1) or, as the case may be, 65(5) of that Act (offences) shall also have effect in relation to any certificate purporting to be an appropriate certificate.

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**Modifications etc. (not altering text)**

- C1** Sch. 2 para. 4(4) excluded (W.) (8.1.2010) by The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009 (S.I. 2009/3342), regs. 1(2), **43**
- C2** Sch. 2 para. 4(4) excluded (W.) (1.3.2016) by The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (S.I. 2016/58), reg. 1(2), **Sch. 7 para. 8(3)** (with reg. 52(2)(3), 59)

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**Commencement Information**

- I1** Sch. 2 para. 4 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2067, **art. 3**

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