

SCHEDULES

SCHEDULE 8

MINES AND WASTE - SCOTLAND

- 14 For section 251A (duty of planning authorities to review mineral workings) there is substituted—

“251A Reviews of mineral workings by planning authorities

- (1) Every planning authority shall undertake periodic reviews about the winning and working of minerals, and the depositing of mineral waste, in their area.
- (2) Subject to regulations made by virtue of subsection (4) of this section, the duty under this section is, at such intervals as they think fit—
 - (a) to review every mining site in their area; and
 - (b) to consider whether they should make an order under section 42, 49, 49A or 49B of this Act, and if they do consider that they should make any such order, to make it.
- (3) For the purposes of subsection (2) “a mining site” means a site which—
 - (a) is being used for the winning and working of minerals or the depositing of mineral waste;
 - (b) has been so used at any time during—
 - (i) the period of five years preceding the date of the beginning of the review; or
 - (ii) such other period preceding that date as may be prescribed;or
 - (c) is authorised to be so used.
- (4) If regulations so require, the reviews shall be undertaken at prescribed intervals and shall cover such matters as may be prescribed.”