

Status: Point in time view as at 28/04/2022.

Changes to legislation: Environment Act 1995, Cross Heading: Reference of applications to the Secretary of State is up to date with all changes known to be in force on or before 14 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)

SCHEDULES

[^{F1}SCHEDULE 13

REVIEW OF OLD MINERAL PLANNING PERMISSIONS]

Textual Amendments

F1 Sch. 13 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

[^{F1} Reference of applications to the Secretary of State]

Textual Amendments

F1 Sch. 13 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

- [^{F2}13 (1) The Secretary of State may give directions requiring applications under paragraph 9 above to any mineral planning authority to be referred to him for determination instead of being dealt with by the authority.
- (2) Any such direction may relate either to a particular application or to applications of a class specified in the direction.
- (3) Where an application is referred to the Secretary of State in accordance with such a direction—
- (a) subject to paragraph (b) below, the following provisions of this Schedule—
- (i) paragraph 9(6) and (7),
- (ii) paragraph 10, and
- (iii) paragraph 14 so far as relating to applications under paragraph 9 above,
- shall apply, with any necessary modifications, as they apply to applications which fall to be determined by the mineral planning authority;
- (b) before determining the application the Secretary of State must, if either the applicant or the mineral planning authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose; and
- (c) the decision of the Secretary of State on the application shall be final.]

Textual Amendments

F2 Sch. 13 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

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Commencement Information

- II** Sch. 13 wholly in force at 1.1.1997; Sch. 13 not in force at Royal Assent see s. 125(3); Sch. 13 in force for E.W. at 1.11.1995 by [S.I. 1995/2765](#), **art. 2**; Sch. 13 in force for S. at 1.1.1997 by [S.I. 1996/2857](#), **art. 2**

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