

Status: Point in time view as at 01/11/1995.

Changes to legislation: Environment Act 1995, Cross Heading: Right to appeal against mineral planning authority's determination of conditions etc. is up to date with all changes known to be in force on or before 04 September 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

SCHEDULE 13 **E+W+S**

REVIEW OF OLD MINERAL PLANNING PERMISSIONS

Right to appeal against mineral planning authority's determination of conditions etc.

- 11 (1) Where the mineral planning authority—
- (a) on an application under paragraph 9 above determine under that paragraph conditions that differ in any respect from the proposed conditions set out in the application; or
 - (b) give notice, under paragraph (d) of paragraph 10(2) above, stating that, in their opinion, the restriction of working rights in question would not be such as to prejudice adversely to an unreasonable degree either of the matters referred to in sub-paragraphs (i) and (ii) of the said paragraph (d),
- the person who made the application may appeal to the Secretary of State.
- (2) An appeal under sub-paragraph (1) above must be made by giving notice of appeal to the Secretary of State before the end of the period of six months beginning with the date on which the authority give notice to the applicant of their determination or, as the case may be, stating their opinion.

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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