

Changes to legislation: Environment Act 1995, Cross Heading: Application for postponement of the first review date is up to date with all changes known to be in force on or before 26 June 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) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 14

PERIODIC REVIEW OF MINERAL PLANNING PERMISSIONS]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

Modifications etc. (not altering text)

C1 Sch. 14: power to amend conferred (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), ss. 132, 255(3)(a) (with s. 247)

[^{F1} Application for postponement of the first review date]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

- [^{F25} (1) Any person who is the owner of any land, or of any interest in any mineral, comprised in a mining site may, no later than the day upon which expires the period of three months from the day upon which notice was served upon him under paragraph 4 above, apply under this paragraph to the mineral planning authority for the postponement of the first review date.
- (2) An application under this paragraph shall be in writing and shall set out—
- the conditions to which each mineral permission relating to the site is subject;
 - the applicant's reasons for considering those conditions to be satisfactory; and
 - the date which the applicant wishes to have substituted for the first review date.
- (3) Where the mineral planning authority receive an application made under this paragraph—
- if they consider the conditions referred to in sub-paragraph (2)(a) above to be satisfactory they shall agree to the first review date being postponed in which event they shall determine the date to be substituted for that date;
 - in any other case they shall refuse the application.
- (4) When a mineral planning authority determine an application made under this paragraph, they shall notify the applicant in writing of their decision and, in a case where they have agreed to the postponement of the first review date, shall notify the applicant of the date which they have determined should be substituted for the first review date.

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- (5) Where, within the period of three months of the mineral planning authority having received an application under this paragraph, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority have not given notice, under sub-paragraph (4) above, to the applicant of their decision upon the application, the authority shall be treated as having, at the end of that period or, as the case may be, that extended period—
- (a) agreed to the first review date being postponed; and
 - (b) determined that the date referred to in sub-paragraph (2)(c) above be substituted for the first review date.]

Textual Amendments

F2 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

Commencement Information

II Sch. 14 wholly in force at 1.1.1997; Sch. 14 not in force at Royal Assent see s. 125(3); Sch. 14 in force for E.W. at 1.11.1995 by **S.I. 1995/2765, art. 2**; Sch. 14 in force for S. at 1.1.1997 by **S.I. 1996/2857, art. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)