
STATUTORY INSTRUMENTS

1999 No. 2024

The Quarries Regulations 1999

PART I

INTERPRETATION AND GENERAL

Meaning of quarry

- 3.—**(1) In these Regulations “quarry” means—
- (a) subject to paragraph (2), an excavation or system of excavations made for the purpose of, or in connection with, the extraction of minerals (whether in their natural state or in solution or suspension) or products of minerals, being neither a mine nor merely a well or borehole or a well and borehole combined;
 - (b) any reclamation site (and for this purpose “reclamation site” means a site where the extraction of minerals forms part of the process whereby that site is restored for agricultural, industrial or domestic use) from which minerals are being extracted for sale or further use; or
 - (c) any disused tip which is not at a mine being worked within the meaning of regulation 2(3) of the Management and Administration of Safety and Health at Mines Regulations 1993⁽¹⁾ from which minerals are being extracted for sale or further use.
- (2) Notwithstanding paragraph (1)(a), in these Regulations “quarry” does not include—
- (a) an excavation or system of excavations made for the purpose of or in connection with the extraction of such minerals or products of minerals where the exclusive purpose of that extraction is to enable the minerals or products of minerals so extracted to be used for the purpose of carrying out any building, civil engineering or engineering construction work on the site at which the extraction has taken place;
 - (b) a public road; or
 - (c) a railway line which is exclusively under the control of—
 - (i) a railway company, or
 - (ii) a person who carries on an undertaking which consists of, or the main activity or one of the main activities of which consists of, the management of a network within the meaning of subsection (1) of section 83 of the Railways Act 1993⁽²⁾.
- (3) For the purposes of these Regulations, the following shall be deemed to form part of a quarry—
- (a) so much of the surface (including buildings, structures and works thereon) surrounding or adjacent to the quarry as is occupied for the purpose of, or in connection with—
 - (i) the working of the quarry,

(1) S.I.1993/1897; amended by S.I. 1995/2005, 1996/1592.

(2) 1993 c. 43.

- (ii) the consumption, use, storage or preparation for sale of the minerals or products thereof extracted from the quarry, or
 - (iii) the removal from the quarry of any substance extracted from the quarry; and
- (b) any tip—
 - (i) for the time being used in conjunction or connection with the operation of the quarry, or
 - (ii) subject to paragraph (4)(a), (whether or not it is for the time being in use) situated on premises occupied by the operator of the quarry;
- (4) For the purposes of these Regulations, where
 - (a) a tip is for the time being used in conjunction or connection with the operation of two or more quarries and is situated on premises occupied exclusively by the operator of one of those quarries, it shall be treated as forming part of that quarry unless—
 - (i) the operator of one of the other quarries in conjunction or connection with which the tip is for the time being used has agreed that the tip should be treated as forming part of the quarry of which he is the operator, and
 - (ii) notice to that effect has been given to the Executive by that operator;
 - (b) a tip is for the time being used in conjunction or connection with the operation of two or more quarries and is situated on premises occupied jointly by the operators of two or more of those quarries, the last-named operators shall, for the purposes of these Regulations, be treated as being in joint and several control of that tip and as being jointly and severally responsible therefore unless—
 - (i) the said operators have agreed that one of their number should be treated as being in control of that tip and responsible therefore, and
 - (ii) notice to that effect has been given to the Executive by the operator who is to be so treated;
- (5) Upon receipt of a notice given in accordance with paragraphs (4)(a)(ii) or (4)(b)(ii), the tip named in that notice shall be treated as forming part of the quarry specified in the said notice.