
STATUTORY INSTRUMENTS

2003 No. 956

The Town and Country Planning (Electronic Communications) (England) Order 2003

Amendment of the Environment Act 1995 in relation to applications to the mineral planning authority

10.—(1) The Environment Act 1995(1) is amended as follows.

(2) In Schedule 13 (review of old mineral planning permissions)—

(a) in paragraph 1 (interpretation), at the end add—

“(8) Where an electronic communication is used to make an application to a mineral planning authority under any of paragraphs 6, 7 or 9 below, the applicant shall be taken to have agreed—

(a) to the use of electronic communications for all purposes relating to his application which are capable of being effected using such communications, unless he gives notice in writing to the mineral planning authority in accordance with sub-paragraph (9) below; and

(b) that his address for the purposes of such communications is the address incorporated into, or otherwise logically associated with, his application (or such other address as he may notify in writing to the mineral planning authority).

(9) An applicant may give notice that he is no longer to be taken to have agreed to the use of electronic communications for the purposes mentioned in paragraph (a) of sub-paragraph (8).

(10) Any such notice shall take effect from the date specified in it being not less than seven days from the date on which it is given.”;

(b) in paragraph 9 (applications for approval of conditions, and appeals where conditions approved are not as proposed) in sub-paragraph (2)(d), for “an address” substitute “a postal address”.

(3) In Schedule 14 (periodic review of mineral planning permissions)—

(a) in paragraph 2 (interpretation), at the end add—

“(5) Where an electronic communication is used to make an application to a mineral planning authority under paragraph 5 or 6 below, the applicant shall be taken to have agreed—

(a) to the use of electronic communications for all purposes relating to his application which are capable of being effected using such communications, unless he gives notice in writing to the mineral planning authority in accordance with sub-paragraph (6) below; and

(1) 1995 c. 25. Section 96 and Schedules 13 and 14 (mineral planning permissions) and the Town and Country Planning Act 1990 have effect as if those provisions of the Environment Act 1995 were included in Part III of the latter Act: see section 96(2) of the Environment Act 1995. Schedules 13 and 14 were amended by the Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11), section 3 and Part III of Schedule 1.

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- (b) that his address for the purposes of such communications is the address incorporated into, or otherwise logically associated with, his application (or such other address as he may notify in writing to the mineral planning authority).
- (6) An applicant may give notice that he is no longer to be taken to have agreed to the use of electronic communications for the purposes mentioned in paragraph (a) of sub-paragraph (5).
- (7) Any such notice shall take effect from the date specified in it being not less than seven days from the date on which it is given.”;
- (b) in paragraph 6 (application to determine conditions to which mineral permissions are to be subject) in sub-paragraph (2)(d), for “an address” substitute “a postal address”.