
Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Cross Heading: Determination of appeal. (See end of Document for details)

SCHEDULES

SCHEDULE 2

REGISTRATION OF OLD MINING PERMISSIONS

Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) (7.6.2006) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [s. 87\(2\)\(b\)](#) (with [s. 111](#)); [S.I. 2006/1281](#), [art. 2\(a\)](#)

Determination of appeal

- 6 (1) On an appeal under paragraph 5 above the Secretary of State may—
- (a) allow or dismiss the appeal, or
 - (b) reverse or vary any part of the decision of the mineral planning authority (whether the appeal relates to that part of it or not),
- and may deal with the application as if it had been made to him in the first instance.
- (2) Before determining such an appeal the Secretary of State must, if either the appellant 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.
- (3) If at any time before or during the determination of such an appeal it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal, he may—
- (a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal, and
 - (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.
- (4) The decision of the Secretary of State on such an appeal shall be final.

Modifications etc. (not altering text)

- C1** Sch. 2 para. 6 extended (E.W.) (1.11.1995) by [1995 c. 25, s. 96](#), [Sch. 13 para. 16\(3\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#)); [S.I. 1995/2765](#), [art.2](#)
Sch. 2 para. 6 extended (E.W.) (1.11.1995) by [1995 c. 25, s. 96](#), [Sch. 14 para. 9\(3\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#)); [S.I. 1995/2765](#), [art.2](#)

Commencement Information

- II** Sch. 2 para. 6 wholly in force at 25.9.1991, see [s. 84\(2\)\(3\)](#) and [S.I. 1991/2067](#), [art. 3](#)

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