

## STATUTORY INSTRUMENTS

# 1983 No. 150

## The Quarries (Northern Ireland) Order 1983

### Regulations of tips and fencing of quarries

#### Regulation of tips

9. <sup>F1</sup> .....

**F1** Art. 9 repealed (1.8.2006) by Quarries Regulations (Northern Ireland) 2006 (S.R. 2006/205), regs 1(1), 41(3)

#### Fencing of quarries

**10.**—(1) For the purposes of [<sup>F2</sup>Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011], a quarry (whether in course of being worked or not) shall be deemed to be a [<sup>F3</sup>statutory nuisance] liable to be dealt with summarily in manner provided by [<sup>F4</sup>that Part] if—

- (a) it is not provided with an efficient and properly maintained barrier so designed and constructed as to prevent any person from accidentally falling into the quarry, and
- (b) by reason of its accessibility from a highway or a place of public resort, it constitutes a danger to members of the public.

(2) Any expenses incurred, by reason of the operation of [<sup>F5</sup>Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011], by a person other than the owner or occupier (as defined for the purposes of this Order) of a quarry for the purpose of abating, or preventing the recurrence of, a [<sup>F6</sup>statutory nuisance] under paragraph (1) or in reimbursing a district council in respect of the abatement, or prevention of the recurrence, of such a [<sup>F6</sup>statutory nuisance] shall, subject to any agreement to the contrary, be recoverable by that person from the owner or occupier (as so defined) of the quarry.

**F2** Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(i); S.R. 2012/13, art. 2(2), Sch. 2

**F3** Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(ii); S.R. 2012/13, art. 2(2), Sch. 2

**F4** Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(iii); S.R. 2012/13, art. 2(2), Sch. 2

**F5** Words in art. 10(2) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(b)(i); S.R. 2012/13, art. 2(2), Sch. 2

**F6** Words in art. 10(2) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(b)(ii); S.R. 2012/13, art. 2(2), Sch. 2

**Changes to legislation:**

There are currently no known outstanding effects for the The Quarries (Northern Ireland) Order 1983, Regulations of tips and fencing of quarries.