
Changes to legislation: There are currently no known outstanding effects for the Housing and Planning Act 1986, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 8

OPENCAST COAL — MISCELLANEOUS AMENDMENTS

PART I

THE 1958 ACT

- 2 (1) In section 4(1), for the words “the land comprised in an authorisation under section 1 of this Act” there shall be substituted the words “any land on which they desire to work coal by such operations or to carry out operations incidental to such working”.
- (2) The following subsections shall be substituted for section 4(6)—
- “(6) A compulsory rights order may only be made if opencast planning permission has been applied for or granted in respect of the land comprised in the order or is deemed to have been granted in respect of it.
 - (6A) Where a compulsory rights order is made before opencast planning permission has been granted in respect of the land comprised in the order, the Secretary of State shall not confirm it unless such permission in respect of that land has first been granted.
 - (6B) Where a compulsory rights order is made in a case where opencast planning permission has been granted or is deemed to have been granted, the order, as from the time when it is made, shall include a reference to the permission.
 - (6C) If opencast planning permission is granted in respect of land comprised in a compulsory rights order and the Secretary of State subsequently confirms the order, the order as confirmed shall include a reference to the permission.
 - (6D) No compulsory rights order, as confirmed, shall extend to any land which is not comprised in the permission or deemed permission referred to in the order.”.

Changes to legislation:

There are currently no known outstanding effects for the Housing and Planning Act 1986, Paragraph 2.