



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 7

CROWN APPLICATION OF PLANNING ACTS

CHAPTER 1

ENGLAND AND WALES

Miscellaneous

87 Old mining permissions

- (1) Subsection (2) applies if—
 - (a) an old mining permission relates to land which is Crown land, and
 - (b) the permission has not been registered in pursuance of Schedule 2 to the Planning and Compensation Act 1991.
- (2) Section 22 of and Schedule 2 to that Act apply to the old mining permission subject to the following modifications—
 - (a) in section 22(3) for “May 1, 1991” there is substituted “the date of commencement of section 87(2) of the Planning and Compulsory Purchase Act 2004”;
 - (b) in paragraph 1(3) of Schedule 2 for “the day on which this Schedule comes into force” there is substituted “the date of commencement of section 87(2) of the Planning and Compulsory Purchase Act 2004”.
- (3) Old mining permission must be construed in accordance with section 22 of the Planning and Compensation Act 1991.

Status: This is the original version (as it was originally enacted).

(4) Crown land must be construed in accordance with Part 13 of the principal Act.

88 Subordinate legislation

- (1) The Secretary of State may by order provide that relevant subordinate legislation applies to the Crown.
- (2) The order may modify such subordinate legislation to the extent that the Secretary of State thinks appropriate for the purposes of its application to the Crown.
- (3) Relevant subordinate legislation is an instrument which—
 - (a) is made under or (wholly or in part) for the purposes of any of the planning Acts,
 - (b) is made before the commencement of section 79 of this Act, and
 - (c) is specified in the order.

89 Crown application: transitional

Schedule 4 (which makes transitional provisions in consequence of the application to the Crown of the planning Acts) has effect.