

**Changes to legislation:** Environment Act 1995, Paragraph 4 is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 13

#### REVIEW OF OLD MINERAL PLANNING PERMISSIONS]

##### Textual Amendments

**F1** Sch. 13 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

[<sup>F1</sup> The “second list”]

##### Textual Amendments

**F1** Sch. 13 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

- [<sup>F1</sup>4 (1) A mineral planning authority shall, in accordance with the following provisions of this paragraph, prepare a list of the active Phase II sites in their area (“the second list”).
- (2) The second list shall include each mineral site in the mineral planning authority’s area which is an active Phase II site.
- (3) In respect of each site included in the second list, that list shall indicate the date by which an application is to be made to the mineral planning authority under paragraph 9 below.
- (4) Subject to paragraph (5) below, any date specified pursuant to sub-paragraph (3) above shall be a date—
- (a) not earlier than the date upon which expires the period of 12 months from the date on which the second list is first advertised in accordance with paragraph 5 below, and
- (b) not later than the date upon which expires the period of six years from the date upon which the provisions of this Schedule come into force.
- (5) The Secretary of State may by order provide that sub-paragraph (4)(b) above shall have effect as if for the period of six years referred to in that paragraph there were substituted such longer period specified in the order.
- (6) The power of the Secretary of State to make an order under sub-paragraph (5) above shall be exercisable by statutory instrument; and any statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) The preparation of the second list shall be completed before the day upon which it is first advertised in accordance with paragraph 5 below.]

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#### **Commencement Information**

**II** Sch. 13 wholly in force at 1.1.1997; Sch. 13 not in force at Royal Assent see s. 125(3); Sch. 13 in force for E.W. at 1.11.1995 by [S.I. 1995/2765](#), **art. 2**; Sch. 13 in force for S. at 1.1.1997 by [S.I. 1996/2857](#), **art. 2**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)