



Town and Country Planning Act 1962

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PART XIII

APPLICATION OF ACT TO SPECIAL CASES

Minerals

198 Modification of Mines (Working Facilities and Support) Act, 1923

- (1) Where a development plan provides that any land is to be used for the purpose of securing the winning and working of any minerals comprised therein, then, without prejudice to the powers conferred by Part V of this Act in relation to land designated by a development plan as subject to compulsory acquisition, the provisions of the Mines (Working Facilities and Support) Act, 1923, shall have effect in relation to the land subject to such modifications as may be prescribed by regulations made under this Act by the Minister and the Minister of Power.
- (2) Regulations made for the purposes of this section may in particular provide for securing—
 - (a) that a right to work any minerals in the land may be granted by the High Court under the said Act of 1923 to any person who is desirous of working them, either by himself or through his lessees, and who is unable to obtain the necessary rights by agreement on reasonable terms ;
 - (b) that for the purposes of the determination by the court of an application for any such right, it shall be assumed that the winning and working of the minerals is expedient in the national interest; and
 - (c) that the compensation or consideration in respect of any such right which is granted by the court shall be assessed having regard to the amount of the compensation which would be payable in respect of a compulsory acquisition of the minerals under Part V of this Act.
- (3) Subsections (3) and (4) of the last preceding section shall apply to the provisions of this section and to any regulations made thereunder as they apply to the provisions of subsection (1) of that section and to regulations made by virtue of that subsection.