
STATUTORY INSTRUMENTS

1969 No. 807

MINES AND QUARRIES

The Disused Mine and Quarry Tips (Prescribed Forms) Regulations 1969

<i>Made</i>	- - - -	<i>12th June 1969</i>
<i>Laid before Parliament</i>		<i>23rd June 1969</i>
<i>Coming into Operation</i>		<i>30th June 1969</i>

The Minister of Housing and Local Government (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire), in exercise of their powers under sections 14, 16, 17, and 36(1) of, and paragraph 2 of Schedule 2 to, the Mines and Quarries (Tips) Act 1969, and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Disused Mine and Quarry Tips (Prescribed Forms) Regulations 1969, and shall come into operation on 30th June 1969.

Interpretation

2.—(1) The Interpretation Act 1889 shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations, any reference to a numbered form is a reference to the form bearing that number in the schedule hereto, or a form substantially to the like effect.

Prescribed forms for purposes of remedial operations on disused tips

3. The prescribed forms for the undermentioned provisions of Part II of the Mines and Quarries (Tips) Act 1969 (which provide for the carrying out of remedial operations on disused mine and quarry tips constituting a public danger) shall be as follows:—

- (a) for the purposes of section 14(1), the form of notice by a local authority requiring the owner of a disused tip to carry out remedial operations shall be form 1;
- (b) for the purposes of section 14(5), the form of counter-notice by an owner requiring the local authority to exercise its powers under section 17 shall be form 2;

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- (c) for the purposes of section 16(1), the form of notice by a local authority cancelling a notice given under section 14 shall be form 3;
- (d) for the purposes of section 17(2), the form of notice by a local authority to the owner of its intention to carry out remedial operations shall be form 4;
- (e) for the purposes of section 17(3), the form of notice by a local authority to the owner where possible danger to the public requires it to proceed before serving a notice under section 17(2) shall be form 5;
- (f) for the purposes of paragraph 2 of Schedule 2, the form of notice by a local authority specifying remedial operations which it proposes to carry out on a disused tip of which it is the owner shall be form 6.

Given under the official seal of the Minister of Housing and Local Government on 12th June 1969.

L.S.

Anthony Greenwood
Minister of Housing and Local Government

Given under my hand on 12th June 1969.

George Thomas
Secretary of State for Wales

SCHEDULE

FORM 1 REMEDIAL OPERATIONS ON DISUSED TIP NOTICE TO OWNER

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FORM 2 REMEDIAL OPERATIONS ON DISUSED TIP OWNER'S COUNTER-NOTICE

FORM 3 REMEDIAL OPERATIONS ON DISUSED TIP CANCELLATION OF NOTICE TO OWNER

FORM 4 REMEDIAL OPERATIONS ON DISUSED TIP NOTICE TO OWNER

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FORM 6 REMEDIAL OPERATIONS ON DISUSED TIP

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EXPLANATORY NOTE

Part II of the Mines and Quarries (Tips) Act 1969 gives local authorities functions in relation to disused tips which, by reason of instability, constitute a public danger. They may require the owner of the tip to carry out remedial operations; or they may carry out remedial operations themselves. Also, an owner who is required to carry out such operations may require the local authority to carry out those operations itself. These Regulations prescribe the form of the notices which are required to be served in connection with these procedures.