
STATUTORY INSTRUMENTS

1994 No. 2567

COAL INDUSTRY

**The Coal Industry Act 1994 (Consequential
Modifications of Subordinate Legislation) Order 1994**

<i>Made</i>	- - - -	<i>3rd October 1994</i>
<i>Laid before Parliament</i>		<i>6th October 1994</i>
<i>Coming into force</i>	- -	<i>31st October 1994</i>

The Secretary of State, in exercise of the powers conferred on him by section 67(2) of the Coal Industry Act 1994⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Coal Industry Act 1994 (Consequential Modifications of Subordinate Legislation) Order 1994 and shall come into operation on 31st October 1994.

Modifications of subordinate legislation

2. Subject to articles 3 to 8 below, the subordinate legislation mentioned in columns 1 and 2 of the Schedule to this Order is hereby modified to the extent specified in column 3 of the Schedule.

Transitional provisions

3.—(1) This article applies to the following Orders—

- (a) the Town and Country Planning (Black Country Urban Development Area) Special Development Order 1987⁽²⁾;
- (b) the Town and Country Planning (Tyne and Wear Urban Development Area) Special Development Order 1987⁽³⁾;
- (c) the Town and Country Planning (Central Manchester Urban Development Area) Special Development Order 1989⁽⁴⁾;

(1) 1994 c. 21.
(2) S.I. 1987/1343.
(3) S.I. 1987/1345.
(4) S.I. 1989/2203.

- (d) the Town and Country Planning (Sheffield Urban Development Area) Special Development Order 1989**(5)**;
- (e) the Town and Country Planning (Bristol Urban Development Area) Special Development Order 1989**(6)**; and
- (f) the Town and Country Planning (Leeds Urban Development Area) Special Development Order 1989**(7)**.

(2) The modifications made by this Order shall not apply to any development or approval in relation to which the development corporation in question has consulted the British Coal Corporation in accordance with article 6 of the relevant Order.

4.—(1) This article applies to the Town and Country Planning (New Towns in Rural Wales) Special Development Order 1977**(8)**.

(2) The modifications made by this Order shall not apply to the undertaking or authorising of any development in relation to which the Development Board for Rural Wales has consulted the British Coal Corporation in accordance with article 8(1)(e) of the Order.

5.—(1) This article applies to the Town and Country Planning (Simplified Planning Zones) (Scotland) Regulations 1987**(9)**.

(2) The modifications made by this Order shall not apply to any proposal to make or alter a simplified planning scheme in relation to which the planning authority has consulted the British Coal Corporation in accordance with regulation 4(a)(iii) of those Regulations.

6.—(1) This article applies to the following Regulations—

- (a) the Planning (Hazardous Substances) Regulations 1992**(10)**; and
- (b) the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993**(11)**.

(2) The modifications made by this Order shall not apply to an application for hazardous substances consent in relation to which the hazardous substances authority or planning authority has consulted the British Coal Corporation in accordance with regulation 10(1)(m) of the Regulations referred to in paragraph (1)(a) above, or regulation 11(1)(m) of the Regulations referred to in paragraph (1)(b) above.

7.—(1) This article applies to the Transport and Works (Applications and Objections Procedure) Rules 1992**(12)**.

(2) The modifications made by this Order in relation to Schedule 2 to those Rules shall not apply in any case where the applicant has served a notice upon the British Coal Corporation in accordance with rule 3(2).

(3) The modifications made by this Order in relation to Schedule 5 to those Rules shall not apply in any case where the applicant has served a copy of the application and copies of the relevant documents upon the British Coal Corporation in accordance with rule 8(3).

8.—(1) This article applies to the Public Bodies' Land (Appropriate Ministers) Order 1981**(13)**.

(5) S.I. [1989/2204](#).
(6) S.I. [1989/2205](#).
(7) S.I. [1989/2206](#).
(8) S.I. [1977/815](#).
(9) S.I. [1987/1532](#).
(10) S.I. [1992/656](#).
(11) S.I. [1993/323](#).
(12) S.I. [1992/2902](#).
(13) S.I. [1981/15](#).

(2) The modifications made by this Order shall not apply in any case where the British Coal Corporation has made representations to the Secretary of State in accordance with section 99(2) of the Local Government, Planning and Land Act 1980(14).

3rd October 1994

Tim Eggar
Minister for Industry and Energy,
Department of Trade and Industry

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Subordinate legislation modified by this Order

(1) Title	(2) Number	(3) Extent of modification(s)
The Commons Registration (General) Regulations 1966	S.I. 1966/1471	In regulation 9, paragraph (2) shall be omitted.
The Commons Registration (New Land) Regulations 1969	S.I. 1969/1843	In regulation 5(2), for the reference to the British Coal Corporation(15) there shall be substituted the words “the Coal Authority”.
The Drainage Rates (Appeals) Regulations 1970	S.I. 1970/1152	In regulation 5(2)(d), for the reference to the British Coal Corporation(15) there shall be substituted the words “the Coal Authority or any licensed operator (within the meaning of the Coal Industry Act 1994)”(16).
The Town and Country Planning (New Towns in Rural Wales) Special Development Order 1977	S.I. 1977/815	In article 8(1)(e), after the first reference to the British Coal Corporation(15), there shall be inserted the words “or the Coal Authority”; and for the second reference to the British Coal Corporation(15) there shall be substituted the words “the Coal Authority”.
The Public Bodies' Land (Appropriate Ministers) Order 1981	S.I. 1981/15	In the Table following article 2, for the entry relating to the British Coal Corporation(15) there shall be substituted, in the first column, the words “The Coal Authority”, and in the second column, the words “The Secretary of State for Trade and Industry”.
The Ancient Monuments (Class Consents) (Scotland) Order 1981	S.I. 1981/1468	In Class II in the Schedule, for the words after “ground level” there shall be substituted the words “any licensed operator

(15) The reference to the British Coal Corporation was substituted by section 1(3) of the Coal Industry Act 1987 c. 3.

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(16) 1994 c. 21. See section 65(1).

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(1) Title	(2) Number	(3) Extent of modification(s)
The Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1983	S.I. 1983/506	(within the meaning of the Coal Industry Act 1994).” In the Schedule— (i) in the definition of “coal industry employer” in article 1, after the words “a small mine licensee” there shall be inserted the words “, a licensed operator (within the meaning of the Coal Industry Act 1994)”; and (ii) in article 10(1)(a) there shall be inserted at the end the words “(including any such scheme which has been continued in force or modified by regulations made under paragraph 2 of Schedule 5 to the Coal Industry Act 1994)”.
The Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1984	S.I. 1984/457	In the Schedule— (i) in the definition of “coal industry employer” in article 1, after the words “a small mine licensee” there shall be inserted the words “, a licensed operator (within the meaning of the Coal Industry Act 1994)” (17) ; and (ii) in article 10(1)(a) there shall be inserted at the end the words “(including any such scheme which has been continued in force or modified by regulations made under paragraph 2 of Schedule 5 to the Coal Industry Act 1994)”.
The Town and Country Planning (Compensation for Restrictions on Mineral Working) Regulations 1985	S.I. 1985/698	In regulation 1, paragraph (2) shall be omitted.

(17) 1994 c. 21. See section 65(1).

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(1) Title	(2) Number	(3) Extent of modification(s)
The Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1986	S.I. 1986/625	In the Schedule— (i) in the definition of “coal industry employer” in article 1, after the words “a small mine licensee” there shall be inserted the words “, a licensed operator (within the meaning of the Coal Industry Act 1994)”; and (ii) in article 10(1)(a) there shall be inserted at the end the words “(including any such scheme which has been continued in force or modified by regulations made under paragraph 2 of Schedule 5 to the Coal Industry Act 1994)”.
The Road Vehicles (Construction and Use) Regulations 1986	S.I. 1986/1078	In regulation 37(5), for sub-paragraph (g) there shall be substituted the following sub-paragraph— “(g) used for the purposes of rescue operations at mines;”.
The Housing (Right to Buy) (Prescribed Forms) Regulations 1986(18)	S.I. 1986/2194	In Schedule 1, in the list of public sector landlords at the end of the form set out in that Schedule, the following entry shall be inserted after the entry for the Civil Aviation Authority— “Coal Authority”.
The Town and Country Planning (Compensation for Restrictions on Mineral Workings) (Scotland) Regulations 1987	S.I. 1987/433	In regulation 1, paragraph (2) shall be omitted.
The Town and Country Planning (Black Country Urban Development Area) Special Development Order 1987	S.I. 1987/1343	In article 6(2)(j), after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and for the words

(18) The relevant amending instrument is S.I. [1992/1707](#).

(1) Title	(2) Number	(3) Extent of modification(s)
The Town and Country Planning (Tyne and Wear Urban Development Area) Special Development Order 1987	S.I. 1987/1345	<p>“that corporation” there shall be substituted the words “the Coal Authority”.</p> <p>In article 6(2)(j), after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and for the words “that corporation” there shall be substituted the words “the Coal Authority”.</p>
The Town and Country Planning (Simplified Planning Zones) (Scotland) Regulations 1987	S.I. 1987/1532	In regulation 4(a)(iii), for the words after “the planning authority” there shall be substituted the words “by the British Coal Corporation or the Coal Authority, the Coal Authority;”.
The Banking Act 1987 (Exempt Transactions) Regulations 1988	S.I. 1988/646	In Schedule 2, the reference to the British Coal Corporation shall be omitted.
The Urban Development Corporations (Appropriate Ministers) Order 1988	S.I. 1988/900	In article 2, paragraph (a) shall be omitted; and for the words after “Secretary of State for the Environment” there shall be substituted the words “and the Secretary of State for Trade and Industry.”.
The Road Vehicles Lighting Regulations 1989	S.I. 1989/1796	In paragraph (h) of the meaning of “emergency vehicle” in the Table in regulation 3, the words “owned by the British Coal Corporation and” shall be omitted.
The Town and Country Planning (Central Manchester Urban Development Area) Special Development Order 1989	S.I. 1989/2203	In paragraph (c) of the Schedule, in the second column, after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and in the third column, for the words “The British Coal Corporation” there shall be substituted the words “The Coal Authority”.

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(1) Title	(2) Number	(3) Extent of modification(s)
The Town and Country Planning (Sheffield Urban Development Area) Special Development Order 1989	S.I. 1989/2204	In paragraph (c) of the Schedule, in the second column, after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and in the third column, for the words “The British Coal Corporation” there shall be substituted the words “The Coal Authority”.
The Town and Country Planning (Bristol Urban Development Area) Special Development Order 1989	S.I. 1989/2205	In paragraph (f) of the Schedule, in the second column, after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and in the third column, for the words “The British Coal Corporation” there shall be substituted the words “The Coal Authority”.
The Town and Country Planning (Leeds Urban Development Area) Special Development Order 1989	S.I. 1989/2206	In paragraph (c) of the Schedule, in the second column, after the words “British Coal Corporation” there shall be inserted the words “or the Coal Authority”; and in the third column, for the words “The British Coal Corporation” there shall be substituted the words “The Coal Authority”.
The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990	S.I. 1990/426	In Part II of the Schedule, the entry relating to the British Coal Corporation shall be omitted.
The Planning (Hazardous Substances) Regulations 1992	S.I. 1992/656	In regulation 10(1)(m), for the words following “the British Coal Corporation” there shall be substituted the words “or the Coal Authority, the Coal Authority;”.
The Housing (Right to Buy) (Prescribed Persons) Order 1992	S.I. 1992/1703	In the Schedule, after the entry for the Civil Aviation Authority there shall be inserted the following entry— “the Coal Authority”.

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(1) Title	(2) Number	(3) Extent of modification(s)
The Transport and Works (Applications and Objections Procedure) Rules 1992	S.I. 1992/2902	In each of Schedules 2 and 5, in category 13 in column (1), there shall be inserted after the words “the British Coal Corporation” the words “or the Coal Authority”; and for the corresponding entry in column (2) there shall be substituted the words “The Coal Authority”.
The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993	S.I. 1993/323	In regulation 11(1)(m), for the words following “the British Coal Corporation” there shall be substituted the words “or the Coal Authority, the Coal Authority;”.
The Ancient Monuments (Class Consents) Order 1994	S.I. 1994/1381	In Class 2 in the Schedule, in the heading, for the words “British Coal Corporation or their licensees” there shall be substituted the words “Coal Mining Operations”; and in the text, for the words after “ground level” there shall be substituted the words “by any licensed operator (within the meaning of the Coal Industry Act 1994).” (19) .

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes modifications to subordinate legislation in consequence of the enactment of the Coal Industry Act 1994. Article 2 amends the subordinate legislation in the manner set out in the Schedule, the modifications made including the substitution of references to the Coal Authority or licensed operators under the Coal Industry Act 1994 for references to the British Coal Corporation. Articles 3 to 8 are transitional provisions.

(19) [1994 c. 21](#). See section 65(1).