The Town and Country Planning (Ironstone Areas Special Development) Order, 1950

1950 No. 1177

Made - - - -	20*th July*, 1950
Laid before Parliament	21*st July*, 1950
Coming into Operation	25*th July*, 1950

B. 4571.

The Minister of Town and Country Planning in exercise of the powers conferred on him by Section 13 of the Town and Country Planning Act, 1947(a), and of all other powers enabling him in that behalf hereby orders as follows:—

1.—(1) This Order shall apply to land in England and Wales within the areas specified in the Schedule hereto.

(2) Subject to the provisions of this Order, the General Development Order shall apply to the land to which this Order applies.

(3) This Order may be cited as the Town and Country Planning (Ironstone Areas Special Development) Order, 1950, and shall come into force on the twenty-fifth day of July, 1950.

2.—(1) In this Order,

"the General Development Order" means the Town and Country Planning General Development Order, 1950(b), as amended by any subsequent Order;

"the Minister" means the Minister of Town and Country Planning;

"overburden" does not include any minerals worked in association with the working of ironstone.

(2) The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3.—(1) The carrying out of any operations for the winning and working of ironstone, of the class specified in paragraph 1 of Class XIX (Development by Mineral Undertakers) in the First Schedule to the General Development Order, is permitted subject to the following further conditions in addition to the conditions imposed in the said First Schedule in relation to development of that class:

1. Subject to the provisions of the next following condition, all overburden removed in the course of mining operations on or after the coming into operation of this Order shall within two years of the carrying out of those operations be spread behind the working face so as to reproduce as far as practicable the conformation of the ground before working.
2. In the case of all mining operations carried out after the first day of April, 1951, on a working face having a depth above the ironstone of 35 feet or less for nine-tenths or more of the length of the face, or within 400 yards of the end (not being a tied end) of any working face, any surface soil, up to a depth of 12 inches, shall be stripped separately

(a) 10 & 11 Geo. 6. c. 51. (b) S.I. 1950 No. 728, p. 1051 above. (c) 52 & 53 Vict. c. 63.

and re-spread forthwith to approximately the same depth on land from which minerals have been extracted by the undertaker under this permission or under any permission granted by a development order, and which has been prepared to receive such soil in the manner specified in the last preceding condition.

(2) The Minister may, if he is satisfied on representations made to him in writing before the first day of November, 1950, that any land on which operations for the winning and working of ironstone are to be carried out

(*a*) is land which it is intended after such working to use for the deposit of waste materials, or

(*b*) contains in the overburden to be removed in the course of those operations an exceptionally high proportion of hard and unfriable limestone,

direct that either or both of the conditions set out in paragraph (1) of this Article shall not apply in relation to that land.

SCHEDULE

The county of Leicester.

The county of Lincoln (Parts of Kesteven).

The county of Lincoln (Parts of Lindsey).

The county of Northampton.

The county of Oxford.

The county of Rutland.

In the county of Warwick:—

The rural district of Southam.

The rural district of Shipston-on-Stour.

Dated this twentieth day of July, 1950.

Given under the official Seal of the Minister of Town and Country Planning.

Hugh Dalton,

Minister of Town and Country Planning.

EXPLANATORY NOTE

(This Note is not part of this Order, but is intended to indicate its general purport.)

This Order is a Special Development Order made under Section 13 of the Town and Country Planning Act, 1947, in relation to certain areas (specified in the Schedule to the Order) in which ironstone is mined. Under Article 3 and Class XIX. 1. of the Town and Country Planning General Development Order, mining operations which were in progress on 1st July, 1948, may be carried on, subject to certain conditions, until an application for permission in respect thereof has been decided. This Order continues that permission in relation to the mining of ironstone subject to additional conditions to secure restoration of the land affected after mining operations have taken place.