STATUTORY INSTRUMENTS

1987 No. 2002 (C.61) (S.137)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (Minerals) Act 1981 (Commencement No.4) (Scotland) Order 1987

Made - - - - 20th November 1987

The Secretary of State, in exercise of the powers conferred on him by section 35 of the Town and Country Planning (Minerals) Act 1981(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Town and Country Planning (Minerals) Act 1981 (Commencement No.4) (Scotland) Order 1987.

2. The provisions of the Town and Country Planning (Minerals) Act 1981 which are specified in column 1 of the Schedule to this Order (and which relate to the subject matter specified in relation thereto in column 2 of that Schedule) shall come into force on 1st January 1988.

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

New St. Andrew's House, Edinburgh
20th November 1987

(a) 1981 c.36.

Provisions of the Town and Country Planning (Minerals) Act 1981	*Subject matter of the provisions*
PART II	
Section 19	Addition to meaning of 'development'
Section 20	Duty of planning authorities to review mineral workings
Section 25	Addition to section 42 of the Town and Country Planning (Scotland) Act 1972(a) ("the 1972 Act") on revoking or modifying planning permission
Section 26	Addition to section 49 of the 1972 Act on discontinuance of use or alteration or removal of buildings or works
Section 27	Insertion into the 1972 Act of sections 49A to 49G on orders prohibiting resumption of operations and orders relating to suspension of operations
Section 28	Substitution for section 100 of the 1972 Act on enforcement of orders under sections 49, 49A and 49B
Section 30, insofar as it inserts section 159A into the 1972 Act	Application of compensation provisions to orders made under section 49A of the 1972 Act or suspension or supplementary suspension orders
Section 32	Insertion into section 168 of the 1972 Act on determination of claims for compensation
PART III	
Section 34 insofar as it applies to the provisions of Schedule 2 which are specified below– paragraphs 7, 8, 9 and 10; in paragraph 11– subparagraph (b); in subparagraph (c) the definition of "mineral working deposit"; in subparagraph (e) the definition of "the statutory maximum"; and subparagraphs (f) and (g).	Consequential amendments to the 1972 Act as contained in Schedule 2.

(a) 1972 c.52.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st January 1988 all the provisions of the Town and Country Planning (Minerals) Act 1981 which are not already in force. Most of these provisions are in Part II of the 1981 Act, which amends the Town and Country Planning (Scotland) Act 1972 as respects the exercise of planning control over the winning and working of minerals.

The Order also brings into force section 34 of the 1981 Act as it applies to the provisions of Schedule 2 which are not already in force. The provisions of Schedule 2 brought into force by this Order make consequential amendments to the Town and Country Planning (Scotland) Act 1972.