TOWN AND COUNTRY PLANNING, ENGLAND

1957 No. 1358

The Town and Country Planning (Minerals) (Amendment) Regulations, 1957

Made - - - -	8*th July*, 1957
Coming into Operation	30*th July*, 1957

The Minister of Housing and Local Government in exercise of the powers conferred on him by subsection (1) of section 81 and section 111 of the Town and Country Planning Act, 1947(a), and of all other powers enabling him in that behalf hereby with the consent of the Treasury makes the following regulations:—

1.—(1) These regulations may be cited as the Town and Country Planning (Minerals) (Amendment) Regulations, 1957, and shall come into operation on the day following the day on which the regulations have been approved by a resolution of each House of Parliament.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. Paragraph (2) of regulation 10 of the Town and Country Planning (Minerals) Regulations, 1954(c), is hereby amended:—

(*a*) by substituting for the words " it is shewn that the applicant has sustained loss or damage ", the words " compensation is payable under that paragraph or would be so payable but for the provisions of sub-paragraph (iii) thereof and it is shewn that the applicant in addition to such expenditure or payment as is referred to in subsection (1) of section 79 of the Act of 1947 or the said paragraph has sustained loss or damage ", and

(*b*) by omitting the words " and subsection (2) of that section ", and

(*c*) by adding at the end of the paragraph the words " or could have been so made but for the provisions of sub-paragraph (iii) thereof ".

Given under the official seal of the Minister of Housing and Local Government this eighth day of July, nineteen hundred and fifty-seven.

(L.S.)

Henry Brooke,
Minister of Housing and Local Government.

We consent

Martin Redmayne,
Peter Legh,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) 10 & 11 Geo. 6. c. 51. (b) 52 & 53 Vict. c. 63. (c) S.I. 1954/1706 (1954 II, p. 2417).

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend the provisions of regulation 10 of the Town and Country Planning (Minerals) Regulations, 1954, by providing that compensation under paragraph (2) of that regulation for additional loss or damage on the refusal or conditional grant of a permission to resume or continue in adjoining land mining operations which have been carried out since 7th January, 1937, shall only be payable in the circumstances set out in subsection (1) of section 79 of the Town and Country Planning Act, 1947, as modified by paragraph (1) of that regulation, namely where the operations to be resumed or continued were begun or contracted for under the previous legislation.

TOWN AND COUNTRY PLANNING, SCOTLAND

1957 No. 1421 (S. 70)

The Town and Country Planning (Minerals) (Amendment) (Scotland) Regulations, 1957

Made - - - -	8*th July*, 1957
Coming into Operation	30*th July*, 1957

In exercise of the powers conferred on me by subsection (1) of section 78 and section 107 of the Town and Country Planning (Scotland) Act, 1947(**a**), and of all other powers enabling me in that behalf I hereby, with the consent of the Treasury, make the following regulations:—

1.—(1) These regulations may be cited as the Town and Country Planning (Minerals) (Amendment) (Scotland) Regulations, 1957, and shall come into operation on the day following the day on which the regulations have been approved by a resolution of each House of Parliament.

(2) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. Paragraph (2) of regulation 9 of the Town and Country Planning (Minerals) (Scotland) Regulations, 1955(**c**), is hereby amended:—

(*a*) by substituting for the words "it is shown that the applicant has sustained loss or damage", the words "compensation is payable under that paragraph or would be so payable but for the provisions of sub-paragraph (iii) thereof and it is shown that the applicant in addition to such expenditure or payment as is referred to in subsection (1) of section 76 of the Act of 1947 or the said paragraph has sustained loss or damage" and

(*b*) by omitting the words "and subsection (2) of that section", and

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(a) 10 & 11 Geo. 6. c. 53. (b) 52 & 53 Vict. c. 63. (c) S.I. 1955/346 (1955 II, p. 2665).