

Changes to legislation: Environment Act 1995, Cross Heading: Second and subsequent periodic reviews is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 14

PERIODIC REVIEW OF MINERAL PLANNING PERMISSIONS]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

Modifications etc. (not altering text)

C1 Sch. 14: power to amend conferred (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), ss. 132, 255(3)(a) (with s. 247)

[^{F1} Second and subsequent periodic reviews]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)

[^{F2}12 [This paragraph applies—

- ^{F3}(A1) (a) where a mineral planning authority for an area in England determines that it will carry out a periodic review of the mineral permissions relating to a mining site, and that periodic review is the second or a subsequent periodic review of the permissions relating to that site, and
- (b) in relation to the second or any subsequent periodic review by a mineral planning authority for an area in Wales of the mineral permissions relating to a mining site.

(A2) In the application of this paragraph in relation to a mineral planning authority for an area in England “the review date” means the date set by the authority as the review date for the purposes of the periodic review.

(A3) That date may not be earlier than the relevant date found under sub-paragraph (1) below in relation to the site.

(A4) In the application of this paragraph in relation to a mineral planning authority for an area in Wales “the review date” means the relevant date found under sub-paragraph (1) below in relation to the site.]

(1) In this paragraph, in relation to a mining site, but subject to paragraph 5 above as applied by sub-paragraph (2) below, “[^{F4}relevant date]” means—

- (a) in the case of the second periodic review, the date falling fifteen years after the date upon which was finally determined an application made under paragraph 6 above in respect of the site; and

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- (b) in the case of subsequent periodic reviews, the date falling fifteen years after the date upon which there was last finally determined under this Schedule an application made in respect of that site under paragraph 6 above as applied by sub-paragraph (2) below.
- (2) Paragraphs 4 to 11 above shall apply in respect of the second or any subsequent periodic review of the mineral permissions relating to a mining site as they apply to the first such periodic review, but as if—
- (a) any reference in those paragraphs to the “first review date” were a reference to the review date;^{F5}...
- (b) the references in paragraphs 4(1) and 6(2)(a) above to the first periodic review were references to the periodic review in question^{F6}, and
- (c) paragraph 4(A1) were omitted.]

Textual Amendments

- F2** Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)
- F3** Sch. 14 paras. 12(A1)-(A4) inserted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), s. 35(1), **Sch. 3 para. 9(2)** (with s. 10); S.I. 2013/1488, art. 3(d)
- F4** Words in Sch. 14 para. 12(1) substituted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), s. 35(1), **Sch. 3 para. 9(3)** (with s. 10); S.I. 2013/1488, art. 3(d)
- F5** Word in Sch. 14 para. 12(2)(a) omitted (25.6.2013) by virtue of [Growth and Infrastructure Act 2013 \(c. 27\)](#), s. 35(1), **Sch. 3 para. 9(4)(a)** (with s. 10); S.I. 2013/1488, art. 3(d)
- F6** Sch. 14 para. 12(2)(c) and word inserted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), s. 35(1), **Sch. 3 para. 9(4)(b)** (with s. 10); S.I. 2013/1488, art. 3(d)

Commencement Information

- I1** Sch. 14 wholly in force at 1.1.1997; Sch. 14 not in force at Royal Assent see s. 125(3); Sch. 14 in force for E.W. at 1.11.1995 by [S.I. 1995/2765](#), **art. 2**; Sch. 14 in force for S. at 1.1.1997 by [S.I. 1996/2857](#), **art. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)