

**NOTICE TO ACCOMPANY DETERMINATION OF CONDITIONS WHICH RESTRICT WORKING RIGHTS FOR ACTIVE PHASE I AND ACTIVE PHASE II SITES**

Environment Act 1995: Initial Reviews

**NOTICE UNDER PARAGRAPH 10 OF SCHEDULE 13 TO THE ENVIRONMENT ACT 1995**

(to accompany notice of determination of conditions where mpa determine conditions different from those submitted by the applicant, and the effect of the new conditions, other than restoration and aftercare conditions, is to further restrict working rights)

**I give notice that:**

The (a).....Council, in the accompanying notice of determination of your application dated (b) ... reference (c)..... for the approval of conditions in respect of the site at (d)..... have determined conditions which differ in some respect from the proposed conditions set out in your application.

The effect of condition/s\* (e) ..... as compared with the effect of the conditions, other than any restoration or aftercare conditions, to which the relevant planning permission/s\* were subject immediately prior to the making of the accompanying determination, is to restrict working rights in respect of the site.

The working rights so restricted are (f) .....

In the opinion of the authority, the effect of the restriction/s\* identified above would/would not\* be such as to prejudice to an unreasonable degree either the economic viability of operating the site or the asset value of the site. In reaching that opinion, the authority have had regard to the guidance issued by the Secretary of State in MPG....

#[You have the right to appeal to the Secretary of State against the authority's opinion. If you wish to appeal you must give notice to the Secretary of State within 6 months of the date of this notice.]

Signed .....

(Council's authorised officer)  
On behalf of ..... Council  
Date .....

- \* delete where inappropriate  
# delete where notice indicates that, in the opinion of the authority, the effect of the restriction/s\* identified above would be such as to prejudice to an unreasonable degree either the economic viability of operating the site or the asset value of the site.

---

**Insert:**

- (a) name of mineral planning authority  
(b) date of application  
(c) application reference number  
(d) name or description of site concerned  
(e) the condition(s) the effect of which, either individually or cumulatively, is/are to further restrict working rights  
(f) the working rights restricted (eg area, rate, depth or volume of mineral extraction permitted)