
STATUTORY INSTRUMENTS

2017 No. 571

**The Town and Country Planning (Environmental
Impact Assessment) Regulations 2017**

PART 9

ROMP Applications

ROMP applications: duty to make a prohibition order after two years suspension of permission

57.—(1) This regulation applies if, in relation to a minerals development—

- (a) a period of 2 years beginning with the suspension date has expired, and
- (b) the steps specified in regulation 54(2) have yet to be taken.

(2) The “suspension date” is the date on which the suspension of minerals development (within the meaning of regulation 54(3)) begins.

(3) Paragraph 3 of Schedule 9 to the Act⁽¹⁾ (prohibition of resumption of mineral working) has effect in relation to any part of a site as it has effect in relation to the whole site.

(4) Paragraph 3(1)(b) of Schedule 9 to the Act has effect as if for the words from “the mineral planning authority may by order” to the end there were substituted—

“the mineral planning authority—

- (i) must by order prohibit the resumption of the winning and working or the depositing; and
- (ii) may in the order impose, in relation to the site, any such requirement as is specified in sub-paragraph (3).”.

(5) In paragraphs 3(2)(a) and (b) of Schedule 9 to the Act, references to winning and working or depositing are to be read as references to winning and working or depositing for which permission is not suspended by virtue of regulation 54(3).

(6) Paragraph 4(7) of Schedule 9 to the Act has effect as if for “have effect” there were substituted “authorise that development”.

(1) Paragraph 3 was amended by section 21 of, and paragraph 15 of Schedule 1 to, the 1991 Act.