



Land Reform (Scotland) Act 2003

2003 asp 2

PART 1

ACCESS RIGHTS

CHAPTER 5

LOCAL AUTHORITY FUNCTIONS: ACCESS AND OTHER RIGHTS

[^{F1}20A Review and amendment of core paths plan: further procedure

- (1) Where, following a review of a plan under section 20(1), the local authority consider that a plan should be amended, the local authority must—
 - (a) give public notice of the amended plan and any maps it refers to,
 - (b) make the original plan and the amended plan and any such maps available for public inspection for a period of not less than 12 weeks, and
 - (c) consult—
 - (i) the local access forum for their area,
 - (ii) persons representative of those who live, work, carry on business or engage (or would be likely to engage) in recreational activities on the land affected by the amendment to the plan,
 - (iii) Scottish Natural Heritage, and
 - (iv) such other persons as the local authority think fit,in each case inviting objections and representations in relation to the amendment to the plan to be made to them within such period as they specify.
- (2) If no objections are made or any made are withdrawn, the local authority must adopt the amended plan.
- (3) If an objection is made and not withdrawn, the local authority must not adopt the amended plan unless Ministers direct them to do so.
- (4) If, after complying with subsection (1), the local authority modify the amended plan, they must notify and consult such persons as they consider appropriate on the modified amended plan.

Changes to legislation: There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 20A. (See end of Document for details)

- (5) Where an objection remains unwithdrawn, Ministers must not make a direction without first causing a local inquiry to be held into whether the amended plan (or, as the case may be, the modified amended plan) will, if adopted, fulfil the purpose mentioned in section 17(1).
- (6) Ministers may, in any other case, cause such an inquiry to be held.
- (7) Subsections (2) to (13) of section 265 (local inquiries) of the Town and Country Planning (Scotland) Act 1997 apply to an inquiry held under subsection (5) or (6) as they apply to one held under that section.
- (8) Following the publication of the report by the person appointed to hold the inquiry, Ministers may (but need not) direct the local authority to adopt the amended plan (or, as the case may be, the modified amended plan) either as drawn up under section 20 or with such modification as Ministers specify in the direction.
- (9) On adopting the amended plan, the local authority must—
- (a) give public notice of the adoption of the amended plan,
 - (b) amend the list of core paths compiled under section 18(8),
 - (c) keep the amended plan, any maps it refers to and the list available for public inspection and for sale at a reasonable price, and
 - (d) send a copy of each of those documents to Ministers.
- (10) Where Ministers decline to make a direction under subsection (8), the local authority must draw up a revised amended plan and must do so in accordance with such procedure and within such time limits as Ministers specify.
- (11) Such specification must include provision under which Ministers may (but need not) direct the local authority to adopt the revised amended plan.]

Textual Amendments

F1 Ss. 20A-20D inserted (31.12.2016) by Land Reform (Scotland) Act 2016 (asp 18), ss. 83(4), 130(1) (with s. 128); S.S.I. 2016/372, reg. 2 (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 20A.