



Countryside and Rights of Way Act 2000

CHAPTER 37

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER I

RIGHT OF ACCESS

General

- 1 Principal definitions for Part I
- 2 Rights of public in relation to access land
- 3 Power to extend to coastal land

Maps

- 4 Duty to prepare maps
- 5 Publication of draft maps
- 6 Appeal against map after confirmation
- 7 Appeal procedure
- 8 Power of Secretary of State or Assembly to delegate functions relating to appeals
- 9 Maps in conclusive form
- 10 Review of maps
- 11 Regulations relating to maps

Rights and liabilities of owners and occupiers

- 12 Effect of right of access on rights and liabilities of owners
- 13 Occupiers' liability

Status: This is the original version (as it was originally enacted).

14 Offence of displaying on access land notices deterring public use

Access under other enactments or by dedication

15 Rights of access under other enactments

16 Dedication of land as access land

Miscellaneous provisions relating to right of access

17 Byelaws

18 Wardens

19 Notices indicating boundaries, etc

20 Codes of conduct and other information

CHAPTER II

EXCLUSION OR RESTRICTION OF ACCESS

21 Interpretation of Chapter II

22 Exclusion or restriction at discretion of owner and others

23 Restrictions on dogs at discretion of owner

24 Land management

25 Avoidance of risk of fire or of danger to the public

26 Nature conservation and heritage preservation

27 Directions by relevant authority: general

28 Defence or national security

29 Reference by relevant advisory body

30 Appeal by person interested in land

31 Exclusion or restriction of access in case of emergency

32 Regulations relating to exclusion or restriction of access

33 Guidance by countryside bodies to National Park authorities

CHAPTER III

MEANS OF ACCESS

34 Interpretation of Chapter III

35 Agreements with respect to means of access

36 Failure to comply with agreement

37 Provision of access by access authority in absence of agreement

38 Appeals relating to notices

39 Order to remove obstruction

CHAPTER IV

GENERAL

40 Powers of entry for purposes of Part I

41 Compensation relating to powers under s. 40

42 References to public places in existing enactments

43 Crown application of Part I

44 Orders and regulations under Part I

45 Interpretation of Part I

46 Repeal of previous legislation, and amendments relating to Part I

PART II

PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC

Public rights of way and definitive maps and statements

- 47 Redesignation of roads used as public paths
- 48 Restricted byway rights
- 49 Provisions supplementary to ss. 47 and 48
- 50 Private rights over restricted byways
- 51 Amendments relating to definitive maps and statements and restricted byways
- 52 Restricted byways: power to amend existing legislation
- 53 Extinguishment of unrecorded rights of way
- 54 Excepted highways and rights of way
- 55 Bridleway rights over ways shown as bridleways
- 56 Cut-off date for extinguishment etc

Creation, stopping up and diversion of highways

- 57 Creation, stopping up and diversion of highways
- 58 Application for path creation order for purposes of Part I
- 59 Effect of Part I on powers to stop up or divert highways

Rights of way improvement plans

- 60 Rights of way improvement plans
- 61 Rights of way improvement plans: supplemental
- 62 Application of ss. 60 and 61 to inner London

Removal of obstructions from highways

- 63 Enforcement of duty to prevent obstructions
- 64 Power to order offender to remove obstruction
- 65 Overhanging vegetation obstructing horse-riders

Miscellaneous

- 66 Making of traffic regulation orders for purposes of conserving natural beauty, etc
- 67 Prohibition on driving mechanically propelled vehicles elsewhere than on roads
- 68 Vehicular access across common land etc
- 69 Erection or improvement of stiles, etc
- 70 Minor amendments
- 71 Reports on functions relating to rights of way
- 72 Interpretation of Part II

PART III

NATURE CONSERVATION AND WILDLIFE PROTECTION

The Nature Conservancy Council for England

- 73 The Nature Conservancy Council for England: change of name

Biological diversity

- 74 Conservation of biological diversity

Sites of special scientific interest

- 75 Sites of special scientific interest
76 Consequential amendments, transitional provisions and savings relating to s. 75

Ramsar sites

- 77 Ramsar sites

Limestone pavement orders

- 78 Limestone pavement orders: offence

Payments under certain agreements

- 79 Payments under agreements under s.16 of 1949 Act or s.15 of 1968 Act

Powers of entry

- 80 Powers of entry

Enforcement of wildlife legislation

- 81 Enforcement of wildlife legislation

PART IV

AREAS OF OUTSTANDING NATURAL BEAUTY

- 82 Designation of areas
83 Procedure for designation orders
84 Functions of certain bodies in relation to areas of outstanding natural beauty
85 General duty of public bodies etc
86 Establishment of conservation boards
87 General purposes and powers
88 Orders establishing conservation boards
89 Management plans
90 Supplementary provisions relating to management plans
91 Grants to conservation boards
92 Interpretation of Part IV and supplementary provision
93 Consequential amendments and transitional provisions

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Local access forums

- 94 Local access forums
95 Local access forums: supplementary

Management agreements

96 Management agreements

Norfolk and Suffolk Broads

97 Duty of public bodies etc. regarding the Broads

Town and village greens

98 Registration of town and village greens

Supplementary

99 Wales
100 Isles of Scilly
101 Expenses
102 Repeals
103 Commencement
104 Interpretation, short title and extent

SCHEDULES

SCHEDULE 1 — Excepted land for purposes of Part I

Part I — EXCEPTED LAND

- 1 Land on which the soil is being, or has at...
 - 2 Land covered by buildings or the curtilage of such land...
 - 3 Land within 20 metres of a dwelling.
 - 4 Land used as a park or garden.
 - 5 Land used for the getting of minerals by surface working...
 - 6 Land used for the purposes of a railway (including a...
 - 7 Land used for the purposes of a golf course, racecourse...
 - 8 Land which does not fall within any of the preceding...
 - 9 Land as respects which development which will result in the...
 - 10 Land within 20 metres of a building which is used...
 - 11 Land covered by pens in use for the temporary reception...
 - 12 Land habitually used for the training of racehorses.
 - 13 Land the use of which is regulated by byelaws under...
- Part II — SUPPLEMENTARY PROVISIONS
- 14 In this Schedule— “building” includes any structure or erection and...
 - 15 (1) Land is not to be treated as excepted land...
 - 16 The land which is excepted land by virtue of paragraph...
 - 17 Land which is habitually used for the training of racehorses...

SCHEDULE 2 — Restrictions to be observed by persons exercising right of access

General restrictions

- 1 Section 2(1) does not entitle a person to be on...
- 2 (1) In paragraph 1(k), “metal detector” means any device designed...
- 3 Regulations may amend paragraphs 1 and 2.
- 4 During the period beginning with 1st March and ending with...
- 5 Whatever the time of year, section 2(1) does not entitle...
- 6 In paragraphs 4 and 5, “short lead” means a lead...

Removal or relaxation of restrictions

- 7 (1) The relevant authority may by direction, with the consent...

Dedicated land

- 8 In relation to land to which a dedication under section...

SCHEDULE 3 — Delegation of appellate functions

Interpretation

- 1 In this Schedule— “appointed person” means a person appointed under...

Appointments

- 2 An appointment under section 8(1)(a) must be in writing and—...

Powers of appointed person

- 3 Subject to the provisions of this Schedule, an appointed person...

Holding of local inquiries and other hearings by appointed persons

- 4 (1) If either of the parties to an appeal or...

Local inquiries under this Schedule: evidence and costs

- 5 Subsections (2) to (5) of section 250 of the Local...

Revocation of appointments and making of new appointments

- 6 (1) Where under paragraph 2(c) the appointment of the appointed...

Certain acts and omissions of appointed person to be treated as those of appointing authority

- 7 (1) Anything done or omitted to be done by an...

SCHEDULE 4 — Minor and consequential amendments relating to Part I

Law of Property Act 1925 (c. 20)

- 1 In section 193(1) of the Law of Property Act 1925...

Forestry Act 1967 (c. 10)

- 2 In section 9 of the Forestry Act 1967 (requirement of...

Agriculture Act 1967 (c. 52)

- 3 In section 52 of the Agriculture Act 1967 (control of...

Countryside Act 1968 (c. 41)

- 4 In section 2(6) of the Countryside Act 1968 (Countryside Agency...

Local Government Act 1974 (c. 7)

- 5 In section 9 of the Local Government Act 1974 (grants...

Wildlife and Countryside Act 1981 (c. 69)

6 In paragraph 13(1) of Schedule 13 to the Wildlife and...

SCHEDULE 5 — Definitive maps and statements and restricted byways
Part I — AMENDMENTS OF PART III OF WILDLIFE AND COUNTRYSIDE
ACT 1981

- 1 (1) Section 53 of the 1981 Act is amended as...
 - 2 After section 53 of that Act there is inserted— Power...
 - 3 (1) Until the coming into force of section 47(1) of...
 - 4 After section 54 of that Act there is inserted— BOATS...
 - 5 In section 55 of that Act (no further surveys or...
 - 6 (1) Section 56 of that Act (effect of definitive map...
 - 7 (1) Section 57 of that Act (supplementary provisions as to...
 - 8 After section 57 of that Act there is inserted— Consolidation...
 - 9 In section 66(1) of that Act (interpretation of Part III)...
 - 10 In Schedule 14 to that Act (applications for certain orders...
 - 11 (1) Schedule 15 to that Act (procedure in connection with...
- Part II — AMENDMENTS OF OTHER ACTS

National Parks and Access to the Countryside Act 1949 (c. 97)

- 12 (1) Section 51 of the National Parks and Access to...
- 13 (1) Section 57 of that Act (penalty for displaying on...

Countryside Act 1968 (c. 41)

- 14 In section 41(11) of the Countryside Act 1968 (power to...

Highways Act 1980 (c. 66)

- 15 In section 116 of the 1980 Act (power of magistrates'...
- 16 In section 329 of the 1980 Act (interpretation)—

Criminal Justice and Public Order Act 1994 (c. 33)

- 17 In section 61 of the Criminal Justice and Public Order...

SCHEDULE 6 — Amendments relating to creation, stopping up and diversion of
highways

Part I — AMENDMENTS OF HIGHWAYS ACT 1980

- 1 In section 26 of the 1980 Act (compulsory powers for...
- 2 For section 29 of the 1980 Act there is substituted—...
- 3 In section 31 of the 1980 Act (dedication of way...
- 4 After section 31 of the 1980 Act there is inserted—...
- 5 In section 36 of the 1980 Act (highways maintainable at...
- 6 In section 118 of the 1980 Act (stopping up of...
- 7 After section 118 of the 1980 Act there is inserted—...
- 8 After section 118A of the 1980 Act there is inserted—...
- 9 (1) Section 119 of the 1980 Act (diversion of footpaths...
- 10 After section 119 of the 1980 Act there is inserted—...
- 11 (1) Section 119A (diversion of footpaths and bridleways crossing
railways)...
- 12 After section 119A of the 1980 Act there is inserted—...
- 13 (1) Section 120 of the 1980 Act (exercise of powers...

- 14 (1) Section 121 of the 1980 Act (supplementary provisions as...
 15 After section 121 of the 1980 Act there is inserted—...
 16 After section 135 of the 1980 Act there is inserted—...
 17 In section 293 of the 1980 Act (powers of entry...
 18 In section 325 of the 1980 Act (regulations, schemes and...
 19 In section 326 of the 1980 Act (revocation and variation...
 20 In section 329(1) of the 1980 Act (interpretation)—
 21 In section 334 of the 1980 Act (savings relating to...
 22 In section 344 of the 1980 Act (application to Isles...
 23 (1) Schedule 6 to the 1980 Act (provisions as to...
 24 After Schedule 12 to the 1980 Act there is inserted—...
 Part II — CONSEQUENTIAL AMENDMENTS OF OTHER ACTS

Norfolk and Suffolk Broads Act 1988 (c. 4)

- 25 In Schedule 3 to the Norfolk and Suffolk Broads Act...

Environment Act 1995 (c. 25)

- 26 In Schedule 9 to the Environment Act 1995 (miscellaneous functions...

SCHEDULE 7 — Driving of mechanically propelled vehicles elsewhere than on roads

National Parks and Access to the Countryside Act 1949 (c. 97)

- 1 In section 51(1) of the National Parks and Access to...

Countryside Act 1968 (c. 41)

- 2 (1) Section 30 of the Countryside Act 1968 (riding of...

Chronically Sick and Disabled Persons Act 1970 (c. 44)

- 3 In section 20 of the Chronically Sick and Disabled Persons...

Road Traffic Act 1988 (c. 52)

- 4 (1) Section 21 of the Road Traffic Act 1988 (prohibition...
 5 For section 34 of that Act there is substituted— Prohibition...
 6 After that section there is inserted— Exceptions to presumption in...
 7 In section 195 of that Act— (a) in subsection (3),...

Road Traffic Offenders Act 1988 (c. 53)

- 8 In Schedule 2 to the Road Traffic Offenders Act 1988...
 9 In Schedule 3 to that Act (fixed penalty offences), in...

SCHEDULE 8 — Amendments consequential on change of name of Nature Conservancy Council for England

- 1 In each provision specified in relation to each of the...
 2 In the following enactments, the entry for the Nature Conservancy...
 3 In Part III of Schedule 1 to the House of...

SCHEDULE 9 — Sites of special scientific interest

- 1 For section 28 of the 1981 Act (areas of special...

- 2 Section 29 (special protection for certain areas of special scientific...
- 3 (1) Section 31 of the 1981 Act (restoration where order...
- 4 In section 32 (duties of agriculture Ministers with respect to...
- 5 (1) Section 52 of the 1981 Act (interpretation of Part...
- 6 In section 67 of the 1981 Act (application to Crown),...
- 7 In the 1981 Act, after Schedule 10 there is inserted...

SCHEDULE 10 — Consequential amendments relating to sites of special scientific interest

Part I — AMENDMENTS OF WILDLIFE AND COUNTRYSIDE ACT 1981

- 1 (1) The 1981 Act is amended as follows.
- 2 In section 74 of the 1981 Act (short title, commencement...

Part II — OTHER AMENDMENTS

Harbours Act 1964 (c. 40)

- 3 In Schedule 3 to the Harbours Act 1964 (procedure for...

Conservation of Seals Act 1970 (c. 30)

- 4 In section 10 of the Conservation of Seals Act 1970...

Highways Act 1980 (c. 66)

- 5 In section 105A of the Highways Act 1980 (environmental impact...

Channel Tunnel Act 1987 (c. 53)

- 6 In section 9 of the Channel Tunnel Act 1987 (planning...

Town and Country Planning Act 1990 (c. 8)

- 7 In section 87 of the Town and Country Planning Act...

Environmental Protection Act 1990 (c. 43)

- 8 In section 36 of the Environmental Protection Act 1990 (grant...

Water Industry Act 1991 (c. 56)

- 9 In section 156 of the Water Industry Act 1991 (restriction...

Environment Act 1995 (c. 25)

- 10 In Schedule 13 to the Environment Act 1995 (review of...

Channel Tunnel Rail Link Act 1996 (c. 61)

- 11 In Schedule 10 to the Channel Tunnel Rail Link Act...

SCHEDULE 11 — Transitional provisions and savings relating to sites of special scientific interest

Interpretation

- 1 (1) In this Schedule— “the Nature Conservancy Council” has the...

Status: This is the original version (as it was originally enacted).

Notifications given under old section 28

- 2 Except as mentioned in paragraphs 4 and 5, a notification...
3 A notice under old section 28(4A)(a) or (b) has effect...

Modification of operation of new section 28

- 4 New section 28(2) does not apply to a notification taking...
5 The words following paragraph (b) in new section 28(4) do...
6 (1) The Nature Conservancy Council shall, within the period of...

Modification of operation of section 28A

- 7 (1) This paragraph applies to a notification under old section...

Modification of operation of section 28E

- 8 (1) Except as provided in paragraph 9—
9 (1) Subject to paragraph 10, this paragraph applies where—
10 (1) An agreement under old section 28(6A) in effect immediately...
11 (1) A person to whom a stop notice is given...
12 (1) The Nature Conservancy Council may, by notice given to...

Modification of operation of section 28F

- 13 (1) Section 28F(1)(a) does not apply to a refusal of...

Modification of operation of section 28H

- 14 Section 28H does not apply in relation to operations which...

Section 29

- 15 Paragraphs 16 and 17 apply where, immediately before the coming...
16 (1) If the relevant land is not included in a...
17 (1) This paragraph applies where— (a) a notice has been...
18 (1) This paragraph applies where— (a) as a result of...

Compensation and grants

- 19 (1) Despite its repeal by paragraph 2 of Schedule 9...

Offences and restoration orders

- 20 (1) Section 28P does not have effect in relation to...

Powers of entry

- 21 Section 51 (powers of entry) has effect on and after...

Service of notices

- 22 Section 70A (service of notices) applies in relation to notices...

SCHEDULE 12 — Amendments relating to Part I of Wildlife and Countryside Act
1981

- 1 In section 1(5) of the 1981 Act (offence of intentional...
2 In section 3 of that Act (areas of special protection)...

- 3 In section 6 of that Act (sale etc. of live...
- 4 (1) In section 7 of that Act (registration etc. of...
- 5 In section 9 of that Act (protection of certain wild...
- 6 In section 16(3) of that Act (power to grant licences)...
- 7 In section 19 of that Act (enforcement of Part I),...
- 8 After that section there is inserted— Enforcement: wildlife inspectors
(1) In this Part, “wildlife inspector” means a person authorised...
- 9 (1) In section 20 of that Act (time limit for...
- 10 (1) Section 21 of that Act (penalties, forfeitures etc. for...
- 11 In section 24 of that Act (functions of the Nature...
- 12 In section 27 of that Act (interpretation of Part I),...
- 13 In section 24(2) of the Police and Criminal Evidence Act...

SCHEDULE 13 — Areas of outstanding natural beauty: conservation boards

Interpretation

- 1 In this Schedule— “an English conservation board” means a conservation...

Status and constitution of conservation boards

- 2 A conservation board shall be a body corporate.
- 3 (1) A conservation board shall consist of—

Local authority members

- 4 (1) The local authority members of a conservation board shall...

Parish members

- 5 (1) The parish members of an English conservation board shall...

Members appointed by the Secretary of State or the National Assembly for Wales

- 6 (1) Before appointing any person as a member of a...

Chairman and deputy chairman

- 7 (1) The members of a conservation board shall elect, from...

Audit

- 8 In Schedule 2 to the Audit Commission Act 1998 (accounts...

SCHEDULE 14 — Supplemental powers of conservation boards

Interpretation

- 1 In this Schedule— “common”, “disposal” and “open space” have the...

Power to acquire land

- 2 (1) For the purposes of any of their functions under...

Power to dispose of land

- 3 Subject to paragraphs 4 to 6 and to the provisions...

- 4 (1) Except with the consent of the Secretary of State...
 5 A conservation board may not dispose under paragraph 3 of...
 6 Section 128 of the Local Government Act 1972 (consents to...)

Provisions as to charges

- 7 In section 152(2) of the Local Government and Housing Act...

SCHEDULE 15 — Areas of outstanding natural beauty: consequential amendments
 and transitional provisions

Part I — CONSEQUENTIAL AMENDMENTS

National Parks and Access to the Countryside Act 1949 (c. 97)

- 1 In section 1 of the National Parks and Access to...
 2 In section 112(2) of that Act (provisions not applying to...
 3 In section 114(1) of that Act (interpretation), for the definition...

Harbours Act 1964 (c. 40)

- 4 In Schedule 3 to the Harbours Act 1964, in paragraph...

Highways Act 1980 (c. 66)

- 5 In section 105A of the 1980 Act (environmental impact assessments),...

Derelict Land Act 1982 (c. 42)

- 6 In section 1 of the Derelict Land Act 1982 (powers...

Road Traffic Regulation Act 1984 (c. 27)

- 7 In section 22 of the Road Traffic Regulation Act 1984...

Housing Act 1985 (c. 68)

- 8 In section 37 of the Housing Act 1985 (restriction on...
 9 In section 157 of that Act (restriction on disposal of...

Town and Country Planning Act 1990 (c. 8)

- 10 In section 87 of the Town and Country Planning Act...

Environmental Protection Act 1990 (c. 43)

- 11 In section 130 of the Environmental Protection Act 1990 (countryside...

Water Industry Act 1991 (c. 56)

- 12 In section 156 of the Water Industry Act 1991 (restriction...

Environment Act 1995 (c. 25)

- 13 In Schedule 13 to the Environment Act 1995 (review of...

Housing Act 1996 (c. 52)

- 14 In section 13 of the Housing Act 1996 (restriction on...

Part II — TRANSITIONAL PROVISIONS

- 15 In this Part “commencement” means the commencement of section 82....
- 16 Any order under section 87 of the 1949 Act (designation...
- 17 Any reference in any instrument or document (whenever made) to...
- 18 Anything done before commencement in connection with a proposed order...

SCHEDULE 16 — Repeals

- Part I — ACCESS TO THE COUNTRYSIDE
- Part II — PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC
- Part III — SITES OF SPECIAL SCIENTIFIC INTEREST
- Part IV — WILDLIFE
- Part V — AREAS OF OUTSTANDING NATURAL BEAUTY
- Part VI — OTHER