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## STATUTORY INSTRUMENTS

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# 1983 No. 1895

## The Access to the Countryside (Northern Ireland) Order 1983

### PART II

#### PUBLIC RIGHTS OF WAY AND PUBLIC PATHS, ETC.

##### *Long distance routes*

#### **Proposals for long distance routes**

**21.**—(1) Where it appears to a district council that the public should be enabled to make extensive journeys on foot, on pedal cycles or on horseback along a particular route, being a route which for the whole or the greater part of its length does not pass along roads mainly used by vehicles, the district council may prepare and submit to the Department a report under this Article.

(2) A report under this Article shall contain—

- (a) a map showing the route, defining those parts of the route over which there exists a public right of way and indicating in each case the nature of that right;
- (b) the proposals of the district council with regard to the provision, maintenance and enjoyment of the route;
- (c) an estimate of the capital outlay and annual expenditure likely to be incurred by the district council or any other body or person in carrying out any such proposals;
- (d) any representations made to the district council as a result of consultation under paragraph (4).

(3) A report under this Article may include proposals—

- (a) for the maintenance or improvement of any public path or road along which the route passes;
- (b) for the provision and maintenance of such new public paths as may be required for enabling the public to journey along the route;
- (c) for the provision and operation of ferries where they are needed for completing the route;
- (d) for the provision of accommodation, toilet facilities, meals and refreshments along the route;

and such recommendations as the district council thinks fit for the restriction of traffic on existing roads along which the route passes.

(4) Before submitting a report under this Article the district council shall consult the Department and such bodies or persons as appear to the district council to be likely to be affected by, or to have a particular interest or expertise in relation to, its proposals.

### **Approval, implementation and variation of proposals**

**22.—**(1) The Department shall consider any report submitted to it under Article 21 and may either approve the report with or without modifications or reject the report, in either case notifying the district council.

(2) If the report is approved under paragraph (1), the district council shall secure the implementation of the report as approved by the Department.

(3) If it appears to the Department, whether after representations from the district council or otherwise, that a report which has been approved under paragraph (1) should be amended, the Department may amend the report and notify the district council; and paragraph (2) shall apply to the report as amended by the Department.

### **Ferries for purposes of long distance routes**

**23.—**(1) Where a report approved under Article 22 includes proposals for the provision and operation of a ferry, the district council may—

- (a) provide and operate the ferry and carry out such work and do all such things as appear to the district council expedient for the purpose of operating the ferry;
- (b) make arrangements with any person or body of persons for the provision and operation of the ferry by him or them and for the making by the district council of such contributions as may be provided for in the arrangements.

(2) Before carrying out any work in the exercise of powers conferred by paragraph (1) (a), being work on the bank or bed of any waterway, the district council shall consult every authority which under any statutory provision has functions relating to the waterway.

(3) The district council may acquire land compulsorily for the purpose of paragraph (1) (a).

(4) Nothing in paragraph (1) shall—

- (a) be construed as conferring on the district council any exclusive right to operate a ferry;
- (b) authorise the doing of anything which apart from paragraph (1) would be actionable by any person by virtue of his having an exclusive right to operate a ferry, without his consent;
- (c) authorise the doing, in relation to land in which any person has an interest, of anything without his consent which apart from paragraph (1) would be actionable at his suit by virtue of that interest.

### **Accommodation, meals and refreshment**

**24.—**(1) Where a report approved under Article 22 includes proposals for the provision of accommodation, toilet facilities, meals and refreshments, the district council may, to the extent that the existing provision appears to the district council to be inadequate or unsatisfactory, make such arrangements under this Article as are requisite for giving effect to the proposals.

(2) The arrangements which may be made under this Article are arrangements for securing the provision, whether by the district council or otherwise, of accommodation, toilet facilities, meals and refreshments at places convenient for persons using the long distance route.

(3) For the purposes of arrangements under this Article the district council may erect such buildings and carry out such work as may appear to the district council to be necessary or expedient.

(4) Nothing in paragraphs (1) to (3) shall authorise the doing, in relation to land in which any person has an interest, of anything without his consent which apart from those paragraphs would be actionable at his suit by virtue of that interest.

(5) The district council may acquire land compulsorily for the purpose of any of its functions under this Article.

**Changes to legislation:**

There are currently no known outstanding effects for the The Access to the Countryside (Northern Ireland) Order 1983, Cross Heading: Long distance routes.