

SCHEDULES

SCHEDULE 5

Article 36(4).

ORDERS UNDER ARTICLE 36(3)(a), 37 OR 38

1. The Department shall comply with paragraphs 2 and 3 before making an order under Article 36(3)(a), 37 or 38.
2. The Department shall consult such persons as it considers appropriate.
- 3.—(1) The Department shall publish a notice including the particulars specified in sub-paragraph (2).
 - (2) The particulars which the notice must contain are—
 - (a) the title of the order;
 - (b) a statement of the general nature and effect of the order;
 - (c) the name or a brief description of any road to which the order will apply;
 - (d) an address in that area where a copy of the draft order and a map or plan of any road in that area to which the order relates may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
 - (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.
 - (3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.
 - (4) Publication of a notice under sub-paragraph (1) shall be in a newspaper circulating in the area in which any road to which the order relates is situated.
 - (5) The Department shall consider any objections or other representations made within the period specified under sub-paragraph (2)(e).
4. Before making an order under Article 36(3)(a), 37 or 38, the Department may hold a public inquiry.
5. The Department may make an order under Article 36(3)(a), 37 or 38 with or without omissions and other modifications.
6. Where the Department makes an order under Article 36(3)(a), 37 or 38, it shall—
 - (a) notify—
 - (i) any person consulted under paragraph 2; and
 - (ii) any person who made objections or other representations in accordance with paragraph 3; and
 - (b) publish in a newspaper circulating in the area in which any road to which the order relates is situated a notice stating that the order has been made.