



Countryside and Rights of Way Act 2000

CHAPTER 37

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER I

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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...

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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. 22)

- 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...

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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...

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- 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...

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- 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...

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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)...

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- 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...

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- 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

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- 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

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