

Status: This version of this part contains provisions that are prospective.

Changes to legislation: *Countryside and Rights of Way Act 2000, Paragraph 4 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 5

DEFINITIVE MAPS AND STATEMENTS AND RESTRICTED BYWAYS

PART I

AMENDMENTS OF PART III OF WILDLIFE AND COUNTRYSIDE ACT 1981

PROSPECTIVE

4 After section 54 of that Act there is inserted—

“54A BOATs not to be added to definitive maps.

- (1) No order under this Part shall, after the cut-off date, modify a definitive map and statement so as to show as a byway open to all traffic any way not shown in the map and statement as a highway of any description.
- (2) In this section “the cut-off date” means, subject to regulations under subsection (3), 1st January 2026.
- (3) The Secretary of State may make regulations—
 - (a) substituting as the cut-off date a date later than the date specified in subsection (2) or for the time being substituted under this paragraph;
 - (b) containing such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient in connection with the operation of subsection (1), including in particular its operation in relation to—
 - (i) an order under section 53(2) for which on the cut-off date an application is pending,
 - (ii) an order under this Part which on that date has been made but not confirmed,
 - (iii) an order under section 55 made after that date, or
 - (iv) an order under this Part relating to any way as respects which such an order, or any provision of such an order, has after that date been to any extent quashed.
- (4) Regulations under subsection (3)(a)—
 - (a) may specify different dates for different areas; but
 - (b) may not specify a date later than 1st January 2031, except as respects an area within subsection (5).
- (5) An area is within this subsection if it is in—

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- (a) the Isles of Scilly, or
- (b) an area which, at any time before the repeal by section 73 of this Act of sections 27 to 34 of the 1949 Act—
 - (i) was excluded from the operation of those sections by virtue of any provision of the 1949 Act, or
 - (ii) would have been so excluded but for a resolution having effect under section 35(2) of that Act.
- (6) Where by virtue of regulations under subsection (3) there are different cut-off dates for areas into which different parts of any way extend, the cut-off date in relation to that way is the later or latest of those dates.
- (7) Where it appears to the Secretary of State that any provision of this Part can by virtue of subsection (1) have no further application he may by order make such amendments or repeals in this Part as appear to him to be, in consequence, necessary or expedient.
- (8) An order or regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)