



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART II

PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC

Public rights of way and definitive maps and statements

54 Excepted highways and rights of way

- (1) A footpath or bridleway is an excepted highway for the purposes of section 53(1) if—
- (a) it is a footpath or bridleway which satisfies either of the conditions in subsections (2) and (3),
 - (b) it is, or is part of, a footpath or bridleway any part of which is in an area which, immediately before 1st April 1965, formed part of the administrative county of London,
 - (c) it is a footpath or bridleway—
 - (i) at the side of (whether or not contiguous with) a carriageway constituting or comprised in another highway, or
 - (ii) between two carriageways comprised in the same highway (whether or not the footpath or bridleway is contiguous with either carriageway),
 - (d) it is a footpath or bridleway of such other description as may be specified in regulations made (as respects England) by the Secretary of State or (as respects Wales) by the National Assembly for Wales, or
 - (e) it is a footpath or bridleway so specified.
- (2) A footpath or bridleway (“the relevant highway”) satisfies the first condition if—
- (a) it became a footpath or bridleway on or after 1st January 1949 by the diversion, widening or extension of a footpath or, as the case may be, of a bridleway by virtue of an event within section 53(3)(a) of the 1981 Act,
 - (b) it became a footpath on or after 1st January 1949 by the stopping up of a bridleway,

Status: This is the original version (as it was originally enacted).

- (c) it was on 1st January 1949 a footpath and is on the cut-off date a bridleway,
 - (d) it is so much of a footpath or bridleway as on or after 1st January 1949 has been stopped up as respects part only of its width, or
 - (e) it is so much of a footpath or bridleway as passes over a bridge or through a tunnel,
- and it communicates with a retained highway, either directly or by means of one or more footpaths or bridleways each of which forms part of the same highway as the relevant highway and each of which either falls within any of paragraphs (a) to (e) or satisfies the condition in subsection (3).
- (3) A footpath or bridleway satisfies the second condition if—
 - (a) it extends from a footpath or bridleway (“the relevant highway”) which—
 - (i) falls within any of paragraphs (a) to (e) of subsection (2), or
 - (ii) is an excepted highway by virtue of subsection (1)(c),to, but not beyond, a retained highway, and
 - (b) it forms part of the same highway as the relevant highway.
 - (4) A retained highway for the purposes of subsections (2) and (3) is any highway over which, otherwise than by virtue of subsection (1)(a), section 53(2) does not extinguish rights of way.
 - (5) A public right of way is an excepted right of way for the purposes of section 53(3) if—
 - (a) it subsists over land over which there subsists on the cut-off date any public right of way created on or after 1st January 1949 otherwise than by virtue of section 30 of the Countryside Act 1968 (riding of pedal cycles on bridleways),
 - (b) it subsists over the whole or part of a way any part of which is in an area which, immediately before 1st April 1965, formed part of the administrative county of London,
 - (c) it is a public right of way of such other description as may be specified in regulations made (as respects England) by the Secretary of State or (as respects Wales) by the National Assembly for Wales, or
 - (d) it subsists over land so specified.
 - (6) Regulations under subsection (1)(d) or (e) or (5)(c) or (d) shall be made by statutory instrument, and a statutory instrument containing such regulations made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.