



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART II

PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC

Rights of way improvement plans

61 Rights of way improvement plans: supplemental.

- (1) Before preparing or reviewing a rights of way improvement plan, and in particular in making any assessment under section 60(1)(a) or (3)(a), a local highway authority shall consult—
- (a) each local highway authority whose area adjoins their area;
 - (b) each district council, and each parish or community council, whose area is within their area;
 - (c) the National Park authority for a National Park any part of which is within their area;
 - (d) where any part of the Broads is within their area, the Broads Authority;
 - (e) any local access forum established for their area or any part of it;
 - (f) [^{F1}Natural England] or the Countryside Council for Wales (as appropriate);
 - (g) such persons as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may by regulations prescribe in relation to the local highway authority's area; and
 - (h) such other persons as the local highway authority may consider appropriate.
- (2) In preparing or amending a rights of way improvement plan, a local highway authority shall—
- (a) publish a draft of the plan or of the plan as amended,
 - (b) publish, in two or more local newspapers circulating in their area, notice of how a copy of the draft can be inspected or obtained and how representations on it can be made to them, and
 - (c) consider any representations made in accordance with the notice.

Status: Point in time view as at 01/10/2006. This version of this provision has been superseded.

Changes to legislation: Countryside and Rights of Way Act 2000, Section 61 is up to date with all changes known to be in force on or before 16 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)

- (3) As regards their rights of way improvement plan, any draft plan on which representations may be made and any report under section 60(4)(b), a local highway authority shall—
- (a) keep a copy available for inspection free of charge at all reasonable times at their principal offices, and
 - (b) supply a copy to any person who requests one, either free of charge or on payment of a reasonable charge determined by the authority.
- (4) Local highway authorities shall, in carrying out their functions under section 60 and this section, have regard to such guidance as may from time to time be given to them by the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales).
- (5) A local highway authority may make arrangements with—
- (a) any district council whose area is within their area, or
 - (b) the National Park authority for a National Park any part of which is within their area,
- for the functions of the local highway authority under section 60 and this section so far as relating to the area of that council or to the part of the Park within the local highway authority's area, to be discharged jointly by the local highway authority and by that council or National Park authority.
- (6) Regulations under subsection (1)(g) 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.
- (7) In this section—
- “local highway authority” has the same meaning as in the 1980 Act;
- “the Broads” has the same meaning as in the ^{M1}Norfolk and Suffolk Broads Act 1988.

Textual Amendments

- F1** Words in s. 61(1)(f) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), s. 107, [Sch. 11 para. 160](#); S.I. 2006/2541, art. 2 (with Sch.)

Modifications etc. (not altering text)

- C1** S. 61 applied (1.2.2005) by [Local Authorities' Plans and Strategies \(Disapplication\) \(England\) Order 2005 \(S.I. 2005/157\)](#), arts. 1, [art. 6\(2\)-\(4\)](#)

Commencement Information

- I1** S. 61 wholly in force at 21.11.2002; s. 61 not in force at Royal Assent see s. 103(3)(4); s. 61 in force for W. at 1.11.2002 by [S.I. 2002/2615](#), [art. 2](#); s. 61 in force for E. at 21.11.2002 by [S.I. 2002/2833](#), [art. 2](#)

Marginal Citations

- M1** 1988 c. 4.

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