

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 7: Ascertainment of rights of way

Part 3: Orders: general

661. [Paragraph 17](#) replicates paragraph 11 of Schedule 15, which sets out the requirements for giving notice of final decisions on orders. This entails describing the general effect of a confirmed order and the date on which it took effect and publicising the order in a similar way to that set out in paragraph 5 of this Schedule; this notice to be accompanied by a copy of the confirmed order. It also involves giving notice of a decision not to confirm an order.
662. [Paragraph 18](#) replicates paragraph 12 of Schedule 15, which sets out the procedure for challenging orders through the High Court. It provides that if any person is aggrieved by an order which has taken effect and wishes to question its validity on the ground that it is not within the powers of sections 53, 54, 54B and 54C, or that any of the requirements of Schedule 13A or Schedule 14A have not been complied with, the person may within 42 days from the date of publication of the notice make an application to the High Court.
663. The High Court may quash the order (or any provision of the order) and, in an extension of the High Court's power (see sub-paragraph (4)), may also quash the decision (or any part of the decision) of the Secretary of State rather than the order (or any part of the order). This measure is intended to reduce the number of cases where the order-making process has to start over again from scratch, which will reduce the administrative burden on both local authorities and the Secretary of State.