

*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**

#### ***Sections 20 to 26 (and Schedule 7): background and territorial extent, application and commencement***

110. By way of background to these measures, Part 3 of the Wildlife and Countryside Act 1981 (“the 1981 Act”) requires local authorities in England and Wales to maintain and keep under review maps and statements showing public rights of way in their area. The local authorities concerned are referred to in that Act as “surveying authorities” and the maps and statements are referred to as “definitive maps and statements”. Part 3 also sets out the procedures which apply where an authority wishes to make a change to the definitive map and statement for its area or where someone applies for such a change to be made.
111. A definitive map and statement is conclusive evidence of certain matters. For example, if a map shows a footpath, this is generally conclusive evidence that the public had a right of way on foot over the land on a particular date.
112. Some rights of way are not recorded on a definitive map and statement. The Countryside and Rights of Way Act 2000 (section 53) provides for unrecorded rights of way created before 1949 to be extinguished immediately after 1 January 2026 (known as the “cut-off date”), subject to certain exceptions.
113. The Highways Act 1980 also deals with public rights of way. For example, it allows applications to be made, in certain circumstances, to extinguish or divert a public right of way.
114. [Sections 20 to 26](#) (and Schedule 7) form part of the law of England and Wales. However, the amendments made by them make changes which affect public rights of way in England only. They come into force on a day to be appointed by the Secretary of State in a commencement order.