

**2007 No. 1493 (C. 61)**

**HIGHWAYS, ENGLAND**

**The Countryside and Rights of Way Act 2000 (Commencement  
No. 12) Order 2007**

*Made* - - - -

*18th May 2007*

The Secretary of State, in exercise of the powers conferred on him by section 103(3) and (4) of the Countryside and Rights of Way Act 2000(a), makes the following Order:

**Citation, interpretation and extent**

**1.**—(1) This Order may be cited as the Countryside and Rights of Way Act 2000 (Commencement No. 12) Order 2007.

(2) In this Order “the 1980 Act” means the Highways Act 1980(b).

(3) This Order applies in relation to England only(c).

**Appointed Day**

**2.** 21<sup>st</sup> May 2007 is the day appointed for the coming into force of section 57 of the Countryside and Rights of Way Act 2000 (amendments to the 1980 Act and other Acts), in so far as it gives effect to the following provisions of Schedule 6 to that Act—

- (a) paragraph 5 (amendment to section 36 of the 1980 Act: highways maintainable at public expense) in so far as it is not already in force;
- (b) paragraph 12, to the extent that it inserts sections 119D and 119E into the 1980 Act (diversion of certain highways for protection of sites of special scientific interest);
- (c) in paragraph 13 (amendment to section 120 of the 1980 Act: exercise of powers of making public path extinguishment and diversion orders), sub-paragraphs (1) to (5) and (7) to (10) to the extent that the amendments made relate to an SSSI diversion order;
- (d) paragraph 14 (amendment to section 121 of the 1980 Act: supplementary provisions as to public path extinguishment and diversion orders), to the extent that the amendments made relate to an SSSI diversion order;

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(a) 2000 c. 37.

(b) 1980 c. 66.

(c) As to the exercise of the power to bring these provisions into force as regards Wales, *see* section 103(3) of the Countryside and Rights of Way Act 2000.

- (e) in paragraph 17 (amendment to section 293 of the 1980 Act: powers of entry for purposes connected with certain orders relating to footpaths and bridleways), sub-paragraph (b) in so far as it is not already in force;
- (f) in paragraph 18 (amendment to section 325 of the 1980 Act: regulations, schemes and orders), sub-paragraph (a) in so far as it is not already in force;
- (g) paragraph 19 (amendment to section 326 of the 1980 Act: revocation and variation of schemes and orders), in so far as it is not already in force;
- (h) paragraph 21 (amendment to section 334 of the 1980 Act: savings relating to telecommunications apparatus), in so far as it is not already in force;
- (i) in paragraph 23 (amendment to Schedule 6 to the 1980 Act: provisions as to making, confirmation, validity and date of operation of certain orders relating to footpaths and bridleways), sub-paragraphs (1) to (4), 5(b), (7) (with the exception of paragraph 2A(1)(b) of Schedule 6 to the 1980 Act), (8) and (9) in so far as they are not already in force; and
- (j) paragraph 24 (insertion of Schedule 12ZA to the 1980 Act: delegation of function of making determination), to the extent that the amendments made relate to an SSSI diversion order.

*Barry Gardiner*

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

18th May 2007

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force on 21<sup>st</sup> May 2007, in relation to England, section 57 of, and Schedule 6 to, the Countryside and Rights of Way Act 2000 to the extent that those provisions insert the following provisions into the Highways Act 1980—

- (a) section 119D, which provides for the diversion of certain highways for the protection of the special features of sites of special scientific interest; and
- (b) section 119E, which makes provisions supplementary to section 119D.

This Order also brings into force the consequential amendments in Schedule 6 to the Act relating to the above sections.

### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

#### **ENGLAND**

The following provisions of the Countryside and Rights of Way Act 2000 have been brought into force in England by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2 (partially)	19.9.2004	2004/2173
Section 2 (partially)	14.12.2004	2004/3008
Section 2 (partially)	28.5.2005	2005/827
Section 2 (partially)	28.8.2005	2005/1901

Section 2 (partially)	31.10.2005	2005/2752
Sections 12, 13, 14, 18 and 20	19.9.2004	2004/2173
Section 46(1)(b)	1.4.2001	2001/114
Section 46(3) (partially)	1.4.2001	2001/114
Section 46(3) (remainder)	19.9.2004	2004/2173
Sections 47 to 50	2.5.2006	2006/1172
Section 51 (partially)	27.9.2005	2005/2459
Section 51 (partially)	2.5.2006	2006/1172
Section 57 (partially)	30.1.2001	2001/114
Section 57 (partially)	12.2.2003	2003/272
Section 57 (partially)	27.9.2005	2005/2459
Sections 60 to 62	21.11.2002	2002/2833
Section 63	13.2.2004	2004/292
Section 68	1.4.2001	2001/114
Section 69(2)	27.9.2005	2005/2459
Section 70(1) and (3)	13.2.2004	2004/292
Section 70(2) and (4)	1.4.2001	2001/114
Section 72	30.1.2001	2001/114
Part IV (and Schedules 13, 14 and 15)	1.4.2001	2001/114
Section 96	1.4.2001	2001/114
Section 97	1.4.2001	2001/114
Section 100(1), (2), (4) and (5)(b)	30.1.2001	2001/114
Section 100(3)	1.4.2001	2001/114
Section 102 (partially)	30.1.2001	2001/114
Section 102 (partially)	1.4.2001	2001/114
Section 102 (partially)	31.10.2005	2005/2752
Section 102 (partially)	2.5.2006	2006/1172
Schedule 2	19.9.2004	2004/2173
Schedule 4, paragraphs 1, 4, 5 and 6	1.4.2001	2001/114
Schedule 4, paragraphs 2 and 3	19.9.2004	2004/2173
Schedule 5, paragraph 1	2.5.2006	2006/1172
Schedule 5, paragraphs 2 (partially) and 5	27.9.2005	2005/2459
Schedule 5, paragraphs 6 and 7	2.5.2006	2006/1172
Schedule 5, paragraphs 8, 10 and 11 (partially)	13.2.2004	2004/292
Schedule 5, paragraphs 8, 10 and 11 (remainder)	27.9.2005	2005/2459
Schedule 5, paragraph 9	2.5.2006	2006/1172
Schedule 5, paragraphs 12 to 17	2.5.2006	2006/1172
Schedule 6, paragraphs 1, 2, 5 (partially), 6, 8 (partially), 9 (partially), 11, 12 (partially), 13 (partially), 14 (partially), 17 (partially), 18 (partially), 19 (partially), 20, 21 (partially), 23 (partially), 24 (partially), 25 and 26	12.2.2003	2003/272
Schedule 6, paragraph 3 (partially)	13.2.2004	2004/292
Schedule 6, paragraph 3 (remainder)	27.9.2005	2005/2459
Schedule 6, paragraph 18(a) (partially)	30.1.2001	2001/114
Schedule 6, paragraph 19 (partially)	30.1.2001	2001/114
Schedule 16, Part I (partially)	1.4.2001	2001/114
Schedule 16, Part I (partially)	31.10.2005	2005/2752
Schedule 16, Part II (partially)	30.1.2001	2001/114
Schedule 16, Part II (partially)	1.4.2001	2001/114
Schedule 16, Parts V and VI	1.4.2001	2001/114

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**£3.00**

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E0765 5/2007 170765T 19585