



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART II

PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC

Rights of way improvement plans

60 Rights of way improvement plans

- (1) Every local highway authority other than an inner London authority shall, within five years after the commencement of this section, prepare and publish a plan, to be known as a rights of way improvement plan, containing—
 - (a) the authority's assessment of the matters specified in subsection (2),
 - (b) a statement of the action they propose to take for the management of local rights of way, and for securing an improved network of local rights of way, with particular regard to the matters dealt with in the assessment, and
 - (c) such other material as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may direct.
- (2) The matters referred to in subsection (1)(a) are—
 - (a) the extent to which local rights of way meet the present and likely future needs of the public,
 - (b) the opportunities provided by local rights of way (and in particular by those within paragraph (a) of the definition in subsection (5)) for exercise and other forms of open-air recreation and the enjoyment of the authority's area,
 - (c) the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems, and
 - (d) such other matters relating to local rights of way as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may direct.

- (3) An authority by whom a rights of way improvement plan is published shall, not more than ten years after first publishing it and subsequently at intervals of not more than ten years—
- (a) make a new assessment of the matters specified in subsection (2), and
 - (b) review the plan and decide whether to amend it.
- (4) On such a review the authority shall—
- (a) if they decide to amend the plan, publish it as amended, and
 - (b) if they decide to make no amendments to it, publish a report of their decision and of their reasons for it.
- (5) In this section—
- “cycle track”—
- (a) means a way over which the public have the following, but no other, rights of way, that is to say, a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988) with or without a right of way on foot; but
 - (b) does not include a way in or by the side of a highway consisting of or comprising a made-up carriageway (within the meaning of the 1980 Act);
- “inner London authority” means Transport for London, the council of an inner London borough or the Common Council of the City of London;
- “local highway authority” has the same meaning as in the 1980 Act;
- “local rights of way” in relation to a local highway authority, means—
- (a) the footpaths, cycle tracks, bridleways and restricted byways within the authority’s area, and
 - (b) the ways within the authority’s area which are shown in a definitive map and statement as restricted byways or byways open to all traffic.
- (6) In subsection (5) the definition of “local rights of way” has effect until the commencement of section 47 with the substitution for the references to restricted byways and to ways shown in a definitive map and statement as restricted byways of a reference to ways shown in a definitive map and statement as roads used as public paths.

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) the Countryside Agency 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.
- (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 Norfolk and Suffolk Broads Act 1988.

62 Application of ss. 60 and 61 to inner London

- (1) The council of an inner London borough or the Common Council of the City of London may by resolution adopt sections 60 and 61 as respects their area or any part of it which is specified in the resolution.
- (2) On the passing by any authority of a resolution under subsection (1), sections 60 and 61 shall, as respects their area or the part of it specified in the resolution, apply in relation to that authority—

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

- (a) as they apply in relation to a local highway authority other than an inner London authority, but
- (b) with the substitution for the reference in subsection (1) of section 60 to the commencement of that section of a reference to the date on which the resolution comes into operation.