

SCHEDULES

SCHEDULE 7

EXPEDITED PUBLIC SPACES PROTECTION ORDERS

- 9 (1) Section 64 (orders restricting public right of way over highway) is amended as follows.
- (2) In subsection (1), in the words before paragraph (a), after “order” insert “or expedited order”.
- (3) After subsection (1) insert—
- “(1A) Before making a public spaces protection order that restricts the public right of way over a highway, a local authority must take the prior consultation steps (see subsection (2)).
- (1B) A local authority may not make an expedited order that restricts the public right of way over a highway unless it—
- (a) takes the prior consultation steps before making the order, or
- (b) takes the subsequent consultation steps (see subsection (2A)) as soon as reasonably practicable after making the order.”
- (4) In subsection (2), for the words from “Before” to “must” substitute “To take the “prior consultation steps” in relation to an order means to”.
- (5) After subsection (2) insert—
- “(2A) To take the “subsequent consultation steps” in relation to an expedited order means to—
- (a) notify potentially affected persons of the order,
- (b) invite those persons to make representations within a specified period about the terms and effects of the order,
- (c) inform those persons how they can see a copy of the order, and
- (d) consider any representations made.
- The definition of “potentially affected persons” in subsection (2) applies to this subsection as if the reference there to “the proposed order” were to “the order”.”
- (6) After subsection (3) insert—
- “(3B) Where a local authority proposes to make an expedited order restricting the public right of way over a highway that is also within the area of another local authority it must, if it thinks appropriate to do so, consult that other authority before, or as soon as reasonably practicable after, making the order.”
- (7) In subsections (4), (5), (6), (7) and (8), after “order” insert “or expedited order”.