

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 2(1)

FORMS OF ORDER
FORM 1 PUBLIC PATH CREATION ORDER HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by *[name of authority]* ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for a public *[footpath]* *[bridleway]* over the land to which this order relates, and that it is expedient that the *[path]* *[way]* should be created.

The *[name of authority or authorities consulted]* *[has]* *[have]* been consulted as required by section 26(3) of the 1980 Act.

BY THIS ORDER:

1. There shall be at the end of days from the date of confirmation of this order a public *[footpath]* *[bridleway]* over the land at described in *[Part 1 of]* the Schedule to this order and shown by a bold broken line on the map attached to this order.

2. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 2 of the Schedule.]

SCHEDULE

[PART 1]

DESCRIPTION OF LAND

[Describe position, length and width of path or way in sections, e.g. A-B, B-C, etc., as indicated on the map.]

[PART 2]

[LIMITATIONS AND CONDITIONS]

<i>[Position of path or way to which limitations and conditions apply]</i>	<i>[Limitations and conditions]</i>
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NOTE: Insert or omit words in square brackets and blank spaces as appropriate.

FORM 2 PUBLIC PATH DIVERSION ORDER HIGHWAYS ACT 1980

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [name of authority] ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of [the [owner] [lessee] [occupier] of the land crossed by the [footpath] [bridleway] described in paragraph 1 of this order] [the public] it is expedient that the line of the [path] [way] should be diverted.

[[Name of authority] has agreed to [contribute towards] [defray] [any compensation which becomes payable in consequence of the coming into force of this order] [and] [any expenses which are incurred in bringing the new site of the [path] [way] into a fit condition for use by the public.]

[Name of authority consulted] [and the Countryside Commission] have been consulted and [name of consenting authority or authorities] have consented to the making of the order as required by section 120(2) of the 1980 Act.]

BY THIS ORDER:

1. The public right of way over the land situate at [] and shown by a bold continuous line on the map contained in this order and described in [Part 1 of] the Schedule to this order shall be stopped up after [] days from the date of confirmation of this order.

[2. Notwithstanding this order [name of statutory undertakers] shall have the following rights over the land referred to in paragraph 1 namely: []

3. There shall at the end of [] days from the date of confirmation of this order be a public [footpath] [bridleway] over the land situate at [] described in [Part 2 of] the Schedule and shown by a bold broken line on the map contained in this order.

[4. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.]

SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

[Describe position, length and width of path or way in sections, e.g. A-B, B-C etc., as indicated on the map.]

[PART 2]

DESCRIPTION OF SITE OF NEW PATH OR WAY

[Describe position, length and width of path or way in sections, e.g. C-D, D-E etc., as indicated on the map.]

[PART 3]

[LIMITATIONS AND CONDITIONS]

<i>[Position of path or way to which limitations and conditions apply</i>	<i>Limitations and conditions]</i>
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NOTE: Insert or omit words in square brackets and blank spaces as appropriate. Renumber paragraphs as appropriate.

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FORM 3 PUBLIC PATH EXTINGUISHMENT ORDER HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [name of authority] ("the authority") under section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the [footpath] [bridleway] described [in paragraph 1] below is not needed for public use.

The [name of authority consulted] [and the Countryside Commission] have been consulted as required by section 120(2) of the 1980 Act, [and the [name of consenting authority or authorities] have consented to the making of this order].

BY THIS ORDER:

1. The public right of way over the land situate at _____ shown by a continuous bold line on the map attached to this order and described in the Schedule to this order shall be extinguished after _____ days from the date of confirmation of this order.

[2. Notwithstanding paragraph 1 of this order [name of statutory undertakers] shall have the following rights over the land referred to in paragraph 1 above, namely:—
_____].

SCHEDULE

[Describe position, length and width of path or way in sections, e.g. A-B, B-C, etc., as indicated on the map.]

NOTE: Insert or omit words in square brackets and blank spaces as appropriate.

FORM 4 FORM OF ACQUISITION EXTINGUISHMENT ORDER ACQUISITION OF LAND ACT 1981 HIGHWAYS ACT 1980

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [name of authority] ("the authority") under section 32 of the Acquisition of Land Act 1981 ("the 1981 Act").

The authority [has acquired] [propose to acquire] land over which subsists a public right of way, not being a right enjoyable by vehicular traffic as mentioned in section 32(1) of the 1981 Act.

The authority are satisfied that [a suitable alternative right of way [has been provided] [will be provided] over land situate at described in Part 1 of the Schedule to this order and shown by a bold broken line on the map contained in this order] [an alternative right of way is not required].

BY THIS ORDER:

1. The public right of way over land situate at described in [Part 2 of] the Schedule to this order and shown by a bold continuous line on the map contained in this order shall be extinguished as from 19 .

[2. Notwithstanding paragraph 1 of this order [name of statutory undertakers] shall have the following rights over the land referred to in paragraph 1 above, namely:-
.]

SCHEDULE

[PART 1]

[DESCRIPTION OF SITE OF ALTERNATIVE WAY]

[Describe position, length and width of path or way in sections, e.g. A-B, C-D, etc., as indicated on the map.]

[PART 2]

DESCRIPTION OF SITE OF WAY EXTINGUISHED

[Describe position, length and width of path or way in sections, e.g. C-D, E-F etc., as indicated on the map.]

NOTE: Insert or omit words in square brackets and blank spaces as appropriate.

SCHEDULE 2

Regulation 3(1)

FORMS OF NOTICE OF ORDERS

FORM 1 NOTICE OF MAKING OF AN ORDER (OTHER THAN AN ACQUISITION EXTINGUISHMENT ORDER)

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0[IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY]

HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

0[To:
of: .]

The above order, made on 19 , under section [26] [118] [119] of the Highways Act 1980, will ⁽²⁾ [create a public [footpath] [bridleway] from to] [extinguish the public [footpath] [bridleway] running [from to] [divert the public [footpath] [bridleway] running from to to a line running from to] [[revoke] [vary] the Order 19 , so as to] as shown on the order map.

A copy of the order and the order map have been placed and may be seen free of charge at from a.m. to p.m. on . Copies of the order and map may be bought there at the price of [].

⁽³⁾[Compensation for depreciation or damage for disturbance arising as a result of the coming into force of the order is payable under section 28 [as applied by section 121(2)] of the Highways Act 1980 (as amended by the Transport and Works Act 1992) which [is] [are] copied with this notice].

Any representations about or objections to the order may be sent in writing to the [title of appropriate officer and name and address of authority] not later than 19 . Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the [name of authority] may confirm the order as an unopposed order. If the order is sent to the Secretary of State for [the Environment] [Wales] for confirmation any representations and objections which have not been withdrawn will be sent with the order.

Dated 19 .

Notes: ⁽¹⁾Insert only in personal notices
⁽²⁾Insert or omit words, as appropriate.
Insert or omit words in brackets and blank spaces as appropriate.

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⁽¹⁾[IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY]

ACQUISITION OF LAND ACT 1981

HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

⁽¹⁾To:

of: .]

The above order, made on 19 , under section 32 of the Acquisition of Land Act 1981, will extinguish the public right of way running from to

[Name of authority] is satisfied that ⁽²⁾ [a suitable alternative right of way [has been] [will be] provided over land specified in the order] [an alternative right of way is not required].

A copy of the order and the map contained in it has been placed at and may be seen free of charge at between a.m. and p.m. on . Copies of the order and map may be bought there at the price of [].

Any representations about or objections to the order may be sent in writing addressed to ⁽²⁾[title of appropriate officer and name and address of authority] not later than 19 . Please state the grounds on which they are made.

If no representations or objections are duly made, or if any so made are withdrawn, the ⁽²⁾[name of authority] may confirm the order as an unopposed order. If the order is sent to the Secretary of State for [the Environment] [Wales] for confirmation any representations and objections which have not been withdrawn will be sent with the order.

Dated 19 .

Notes: ⁽¹⁾Insert only in personal notices.
⁽²⁾Insert or omit words as appropriate.
Insert or omit words in brackets and blank spaces as appropriate.

FORM 3NOTICE OF CONFIRMATION OF AN ORDER (OTHER THAN AN ACQUISITION EXTINGUISHMENT ORDER)

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⁽¹⁾[IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY]

HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

⁽¹⁾[To:

of:]

On 19 , ⁽²⁾ [The Secretary of State] [for the Environment] [for Wales] [*name of authority*] [confirmed] [confirmed with modifications] the above order made under section [26] [118] [119] of the Highways Act 1980.

The effect of the order as confirmed is to ⁽³⁾[create] [extinguish] [divert] [*describe the effect of the order*] as shown on the order map.

A copy of the order as confirmed and the order map have been placed and may be seen free of charge at from a.m. to p.m. on . Copies of the order and map may be bought there at the price of [].

⁽¹⁾[Any person who wishes to claim compensation under section 28 ⁽²⁾ [as applied by section 121(2)] of the 1980 Act for depreciation or damage for disturbance arising as a result of the coming into force of the order must make a claim in writing addressed to the ⁽²⁾[*title of appropriate officer and name and address of authority*], and serve it by delivering it at, or sending it by prepaid post to, that address not later than 19 . [*A copy of the section is*] [Copies of the sections (as amended by the Transport and Works Act 1992) are] [attached] [appended].]

The order comes into force on 19 , but if a person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from ⁽²⁾[*date on which the notice is first published*], make an application to the High Court.

Dated 19 .

Notes: ⁽¹⁾Insert only in personal notices.

⁽²⁾Insert or omit words or date, as appropriate.

Insert or omit words in brackets and blank spaces as appropriate.

FORM 4NOTICE OF CONFIRMATION OF AN ACQUISITION EXTINGUISHMENT ORDER

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⁽¹⁾[IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY]

ACQUISITION OF LAND ACT 1981

HIGHWAYS ACT 1980

[NAME OF AUTHORITY]

[TITLE OF ORDER]

⁽¹⁾[To:
of:]

On 19 , [the Secretary of State for [the Environment] [Wales]] *[name of authority]* [confirmed] [confirmed with modifications] the above order made under section 32 of the Acquisition of Land Act 1981.

Its effect is to extinguish the public right of way running from , as shown on the order map.

A copy of the order and the order map have been placed at and may be seen free of charge at between a.m. and p.m. on . Copies of the order and map may be bought there at the price of [] .

The order comes into force on 19 , but if any person aggrieved by the order desires to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Acquisition of Land Act 1981, or that any requirement of that Act or the Highways Act 1980, as amended, or any regulation made under it has not been complied with in relation to the order, he or she may under Schedule 2 to the Highways Act 1980, as applied by paragraph 5 of Schedule 6 to that Act, within six weeks from ⁽²⁾*[the date on which notice is first published]* make an application to the High Court.

Dated 19 .

Notes: ⁽¹⁾Insert only in personal notices.
⁽²⁾Insert date.
Insert or omit words in brackets and blank spaces as appropriate.

SCHEDULE 3

Regulation 3(2)

PERSONS TO BE SERVED WITH NOTICE OF ORDERS

1 Area	2 Name of Persons
England and Wales	Auto-Cycle Union
	British Horse Society
	Byways and Bridleways Trust
	Open Spaces Society
	Ramblers Association
	Cyclists Touring Club

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1 Area	2 Name of Persons
The counties of Cheshire, Derbyshire, Greater Manchester, Lancashire, Merseyside, South Yorkshire, Staffordshire and West Yorkshire	Peak and Northern Footpaths Society
Within the county of Bedfordshire: the borough of Luton, and within the district of Mid Bedfordshire the parishes of Harlington and Shillington, and within the district of South Bedfordshire the parishes of Barton le Clay, Caddington and Slip End, Dunstable, Eaton Bray, Houghton Regis, Hyde, Kensworth, Streatley, Studham, Sundon, Toddington, Totternhoe and Whipsnade	Chiltern Society
Within the county of Buckinghamshire: the districts of Chiltern, Wycombe and South Bucks; and within the district of Aylesbury Vale, the parishes of Aston Clinton, Buckland, Drayton Beauchamp, Edlesborough, Halton, Ivinghoe, Marsworth, Pitstone, Wendover and Weston Turville;	
Within the county of Hertfordshire: the districts of Dacorum and Three Rivers; and within the district of North Hertfordshire, the parishes of Hexton, Hitchin, Ickleford, St. Ippollitts, Kings Walden, Langley, Lilley, Offley, Pirton, Preston and St Pauls Walden;	
Within the county of Oxfordshire: the district of South Oxfordshire	
Wales	Welsh Trail Riders' Association.