



Infrastructure (Wales) Act 2024

2024 asc 3

PART 6

INFRASTRUCTURE CONSENT ORDERS

Provision in orders: specific limitations and powers

73 Public rights of way

- (1) An infrastructure consent order may extinguish a public right of way over land only if the Welsh Ministers are satisfied that—
 - (a) an alternative right of way has been or will be provided, or
 - (b) the provision of an alternative right of way is not required.
- (2) The following provisions of this section apply if—
 - (a) an infrastructure consent order makes provision for the acquisition of land, compulsorily or by agreement,
 - (b) the order extinguishes a public right of way over the land, and
 - (c) the right of way is not a right enjoyable by vehicular traffic.
- (3) The order may not provide for the right of way to be extinguished from a date which is earlier than the date on which the order is published.
- (4) Subsection (5) applies if—
 - (a) the order extinguishes the right of way from a date (“the extinguishment date”) which is earlier than the date on which the acquisition of the land is completed, and
 - (b) at any time after the extinguishment date it appears to the Welsh Ministers that the proposal to acquire the land has been abandoned.
- (5) The Welsh Ministers must by order direct that the right is to revive.
- (6) Nothing in subsection (5) prevents the making of a further order extinguishing the right of way.