



# Countryside and Rights of Way Act 2000

## CHAPTER 37

### COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

#### PART I

##### ACCESS TO THE COUNTRYSIDE

#### CHAPTER I

##### RIGHT OF ACCESS

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- 2 Rights of public in relation to access land.
- 3 Power to extend to coastal land.

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- 5 Publication of draft maps.
- 6 Appeal against map after confirmation.
- 7 Appeal procedure.
- 8 Power of Secretary of State or Assembly to delegate functions relating to appeals.
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- 10 Review of maps.
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- 12 Effect of right of access on rights and liabilities of owners.
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*Status: Point in time view as at 01/04/2004.*

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- 14 Offence of displaying on access land notices deterring public use.

*Access under other enactments or by dedication*

- 15 Rights of access under other enactments.  
16 Dedication of land as access land.

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## PART II

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- 66 Making of traffic regulation orders for purposes of conserving natural beauty, etc.
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## PART III

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96 Management agreements.

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### *Town and village greens*

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- 99 Wales.
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- 101 Expenses.
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## SCHEDULES

### SCHEDULE 1 — Excepted land for purposes of Part I

#### Part I — EXCEPTED LAND

- 1 Land on which the soil is being, or has at...
  - 2 Land covered by buildings or the curtilage of such land...
  - 3 Land within 20 metres of a dwelling.
  - 4 Land used as a park or garden.
  - 5 Land used for the getting of minerals by surface working...
  - 6 Land used for the purposes of a railway (including a...
  - 7 Land used for the purposes of a golf course, racecourse...
  - 8 Land which does not fall within any of the preceding...
  - 9 Land as respects which development which will result in the...
  - 10 Land within 20 metres of a building which is used...
  - 11 Land covered by pens in use for the temporary reception...
  - 12 Land habitually used for the training of racehorses.
  - 13 Land the use of which is regulated by byelaws under...
- #### Part II — SUPPLEMENTARY PROVISIONS
- 14 In this Schedule— “building” includes any structure or erection and...
  - 15 (1) Land is not to be treated as excepted land...
  - 16 The land which is excepted land by virtue of paragraph...
  - 17 Land which is habitually used for the training of racehorses...

### SCHEDULE 2 — Restrictions to be observed by persons exercising right of access

#### *General restrictions*

- 1 Section 2(1) does not entitle a person to be on...
- 2 (1) In paragraph 1(k), “metal detector” means any device designed...
- 3 Regulations may amend paragraphs 1 and 2.
- 4 During the period beginning with 1st March and ending with...
- 5 Whatever the time of year, section 2(1) does not entitle...
- 6 In paragraphs 4 and 5, “short lead” means a lead...

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*Removal or relaxation of restrictions*

- 7 (1) The relevant authority may by direction, with the consent...

*Dedicated land*

- 8 In relation to land to which a dedication under section...

SCHEDULE 3 — Delegation of appellate functions

*Interpretation*

- 1 In this Schedule— “appointed person” means a person appointed under...

*Appointments*

- 2 An appointment under section 8(1)(a) must be in writing and—...

*Powers of appointed person*

- 3 Subject to the provisions of this Schedule, an appointed person...

*Holding of local inquiries and other hearings by appointed persons*

- 4 (1) If either of the parties to an appeal or...

*Local inquiries under this Schedule: evidence and costs*

- 5 Subsections (2) to (5) of section 250 of the Local...

*Revocation of appointments and making of new appointments*

- 6 (1) Where under paragraph 2(c) the appointment of the appointed...

*Certain acts and omissions of appointed person to be treated as those of appointing authority*

- 7 (1) Anything done or omitted to be done by an...

SCHEDULE 4 — Minor and consequential amendments relating to Part I

*Law of Property Act 1925 (c. 20)*

- 1 In section 193(1) of the Law of Property Act 1925...

*Forestry Act 1967 (c. 10)*

- 2 In section 9 of the Forestry Act 1967 (requirement of...

*Agriculture Act 1967 (c. 22)*

- 3 In section 52 of the Agriculture Act 1967 (control of...

*Countryside Act 1968 (c. 41)*

- 4 In section 2(6) of the Countryside Act 1968 (Countryside Agency...

*Local Government Act 1974 (c. 7)*

- 5 In section 9 of the Local Government Act 1974 (grants...

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*Wildlife and Countryside Act 1981 (c. 69)*

6 In paragraph 13(1) of Schedule 13 to the Wildlife and...

SCHEDULE 5 — Definitive maps and statements and restricted byways  
Part I — AMENDMENTS OF PART III OF WILDLIFE AND COUNTRYSIDE  
ACT 1981

- 1 (1) Section 53 of the 1981 Act is amended as...
- 2 After section 53 of that Act there is inserted— Power...
- 3 (1) Until the coming into force of section 47(1) of...
- 4 After section 54 of that Act there is inserted— BOATs...
- 5 In section 55 of that Act (no further surveys or...
- 6 (1) Section 56 of that Act (effect of definitive map...
- 7 (1) Section 57 of that Act (supplementary provisions as to...
- 8 After section 57 of that Act there is inserted— Consolidation...
- 9 In section 66(1) of that Act (interpretation of Part III)...
- 10 In Schedule 14 to that Act (applications for certain orders...
- 11 (1) Schedule 15 to that Act (procedure in connection with...

Part II — AMENDMENTS OF OTHER ACTS

*National Parks and Access to the Countryside Act 1949 (c. 97)*

- 12 (1) Section 51 of the National Parks and Access to...
- 13 (1) Section 57 of that Act (penalty for displaying on...

*Countryside Act 1968 (c. 41)*

- 14 In section 41(11) of the Countryside Act 1968 (power to...

*Highways Act 1980 (c. 66)*

- 15 In section 116 of the 1980 Act (power of magistrates'...
- 16 In section 329 of the 1980 Act (interpretation)—

*Criminal Justice and Public Order Act 1994 (c. 33)*

- 17 In section 61 of the Criminal Justice and Public Order...

SCHEDULE 6 — Amendments relating to creation, stopping up and diversion of  
highways

Part I — AMENDMENTS OF HIGHWAYS ACT 1980

- 1 In section 26 of the 1980 Act (compulsory powers for...
- 2 For section 29 of the 1980 Act there is substituted—...
- 3 In section 31 of the 1980 Act (dedication of way...
- 4 After section 31 of the 1980 Act there is inserted—...
- 5 In section 36 of the 1980 Act (highways maintainable at...
- 6 In section 118 of the 1980 Act (stopping up of...
- 7 After section 118 of the 1980 Act there is inserted—...
- 8 After section 118A of the 1980 Act there is inserted—...
- 9 (1) Section 119 of the 1980 Act (diversion of footpaths...
- 10 After section 119 of the 1980 Act there is inserted—...
- 11 (1) Section 119A (diversion of footpaths and bridleways crossing  
railways)...
- 12 After section 119A of the 1980 Act there is inserted—...
- 13 (1) Section 120 of the 1980 Act (exercise of powers...

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- 14 (1) Section 121 of the 1980 Act (supplementary provisions as...
- 15 After section 121 of the 1980 Act there is inserted—...
- 16 After section 135 of the 1980 Act there is inserted—...
- 17 In section 293 of the 1980 Act (powers of entry...
- 18 In section 325 of the 1980 Act (regulations, schemes and...
- 19 In section 326 of the 1980 Act (revocation and variation...
- 20 In section 329(1) of the 1980 Act (interpretation)—
- 21 In section 334 of the 1980 Act (savings relating to...
- 22 In section 344 of the 1980 Act (application to Isles...
- 23 (1) Schedule 6 to the 1980 Act (provisions as to...
- 24 After Schedule 12 to the 1980 Act there is inserted—...

Part II — CONSEQUENTIAL AMENDMENTS OF OTHER ACTS

*Norfolk and Suffolk Broads Act 1988 (c. 4)*

- 25 In Schedule 3 to the Norfolk and Suffolk Broads Act...

*Environment Act 1995 (c. 25)*

- 26 In Schedule 9 to the Environment Act 1995 (miscellaneous functions...

SCHEDULE 7 — Driving of mechanically propelled vehicles elsewhere than on roads

*National Parks and Access to the Countryside Act 1949 (c. 97)*

- 1 In section 51(1) of the National Parks and Access to...

*Countryside Act 1968 (c. 41)*

- 2 (1) Section 30 of the Countryside Act 1968 (riding of...

*Chronically Sick and Disabled Persons Act 1970 (c. 44)*

- 3 In section 20 of the Chronically Sick and Disabled Persons...

*Road Traffic Act 1988 (c. 52)*

- 4 (1) Section 21 of the Road Traffic Act 1988 (prohibition...
- 5 For section 34 of that Act there is substituted— Prohibition...
- 6 After that section there is inserted— Exceptions to presumption in...
- 7 In section 195 of that Act— (a) in subsection (3),...

*Road Traffic Offenders Act 1988 (c. 53)*

- 8 In Schedule 2 to the Road Traffic Offenders Act 1988...
- 9 In Schedule 3 to that Act (fixed penalty offences), in...

SCHEDULE 8 — Amendments consequential on change of name of Nature Conservancy Council for England

- 1 In each provision specified in relation to each of the...
- 2 In the following enactments, the entry for the Nature Conservancy...
- 3 In Part III of Schedule 1 to the House of...

SCHEDULE 9 — Sites of special scientific interest

- 1 For section 28 of the 1981 Act (areas of special...



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- 2 Section 29 (special protection for certain areas of special scientific...
- 3 (1) Section 31 of the 1981 Act (restoration where order...
- 4 In section 32 (duties of agriculture Ministers with respect to...
- 5 (1) Section 52 of the 1981 Act (interpretation of Part...
- 6 In section 67 of the 1981 Act (application to Crown),...
- 7 In the 1981 Act, after Schedule 10 there is inserted...

#### SCHEDULE 10 — Consequential amendments relating to sites of special scientific interest

##### Part I — AMENDMENTS OF WILDLIFE AND COUNTRYSIDE ACT 1981

- 1 (1) The 1981 Act is amended as follows.
- 2 In section 74 of the 1981 Act (short title, commencement...

##### Part II — OTHER AMENDMENTS

##### *Harbours Act 1964 (c. 40)*

- 3 In Schedule 3 to the Harbours Act 1964 (procedure for...

##### *Conservation of Seals Act 1970 (c. 30)*

- 4 In section 10 of the Conservation of Seals Act 1970...

##### *Highways Act 1980 (c. 66)*

- 5 In section 105A of the Highways Act 1980 (environmental impact...

##### *Channel Tunnel Act 1987 (c. 53)*

- 6 In section 9 of the Channel Tunnel Act 1987 (planning...

##### *Town and Country Planning Act 1990 (c. 8)*

- 7 In section 87 of the Town and Country Planning Act...

##### *Environmental Protection Act 1990 (c. 43)*

- 8 In section 36 of the Environmental Protection Act 1990 (grant...

##### *Water Industry Act 1991 (c. 56)*

- 9 In section 156 of the Water Industry Act 1991 (restriction...

##### *Environment Act 1995 (c. 25)*

- 10 In Schedule 13 to the Environment Act 1995 (review of...

##### *Channel Tunnel Rail Link Act 1996 (c. 61)*

- 11 In Schedule 10 to the Channel Tunnel Rail Link Act...

#### SCHEDULE 11 — Transitional provisions and savings relating to sites of special scientific interest

##### *Interpretation*

- 1 (1) In this Schedule— “the Nature Conservancy Council” has the...

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*Notifications given under old section 28*

- 2 Except as mentioned in paragraphs 4 and 5, a notification...  
3 A notice under old section 28(4A)(a) or (b) has effect...

*Modification of operation of new section 28*

- 4 New section 28(2) does not apply to a notification taking...  
5 The words following paragraph (b) in new section 28(4) do...  
6 (1) The Nature Conservancy Council shall, within the period of...

*Modification of operation of section 28A*

- 7 (1) This paragraph applies to a notification under old section...

*Modification of operation of section 28E*

- 8 (1) Except as provided in paragraph 9—  
9 (1) Subject to paragraph 10, this paragraph applies where—  
10 (1) An agreement under old section 28(6A) in effect immediately...  
11 (1) A person to whom a stop notice is given...  
12 (1) The Nature Conservancy Council may, by notice given to...

*Modification of operation of section 28F*

- 13 (1) Section 28F(1)(a) does not apply to a refusal of...

*Modification of operation of section 28H*

- 14 Section 28H does not apply in relation to operations which...

*Section 29*

- 15 Paragraphs 16 and 17 apply where, immediately before the coming...  
16 (1) If the relevant land is not included in a...  
17 (1) This paragraph applies where— (a) a notice has been...  
18 (1) This paragraph applies where— (a) as a result of...

*Compensation and grants*

- 19 (1) Despite its repeal by paragraph 2 of Schedule 9...

*Offences and restoration orders*

- 20 (1) Section 28P does not have effect in relation to...

*Powers of entry*

- 21 Section 51 (powers of entry) has effect on and after...

*Service of notices*

- 22 Section 70A (service of notices) applies in relation to notices...

SCHEDULE 12 — Amendments relating to Part I of Wildlife and Countryside Act 1981

- 1 In section 1(5) of the 1981 Act (offence of intentional...  
2 In section 3 of that Act (areas of special protection)...

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- 3 In section 6 of that Act (sale etc. of live...
- 4 (1) In section 7 of that Act (registration etc. of...
- 5 In section 9 of that Act (protection of certain wild...
- 6 In section 16(3) of that Act (power to grant licences)...
- 7 In section 19 of that Act (enforcement of Part I),...
- 8 After that section there is inserted— Enforcement: wildlife inspectors.  
(1) In this Part, “wildlife inspector” means a person authorised...
- 9 (1) In section 20 of that Act (time limit for...
- 10 (1) Section 21 of that Act (penalties, forfeitures etc. for...
- 11 In section 24 of that Act (functions of the Nature...
- 12 In section 27 of that Act (interpretation of Part I),...
- 13 .....

### SCHEDULE 13 — Areas of outstanding natural beauty: conservation boards

#### *Interpretation*

- 1 In this Schedule— “an English conservation board” means a conservation...

#### *Status and constitution of conservation boards*

- 2 A conservation board shall be a body corporate.
- 3 (1) A conservation board shall consist of—

#### *Local authority members*

- 4 (1) The local authority members of a conservation board shall...

#### *Parish members*

- 5 (1) The parish members of an English conservation board shall...

#### *Members appointed by the Secretary of State or the National Assembly for Wales*

- 6 (1) Before appointing any person as a member of a...

#### *Chairman and deputy chairman*

- 7 (1) The members of a conservation board shall elect, from...

#### *Audit*

- 8 In Schedule 2 to the Audit Commission Act 1998 (accounts...

### SCHEDULE 14 — Supplemental powers of conservation boards

#### *Interpretation*

- 1 In this Schedule— “common”, “disposal” and “open space” have the...

#### *Power to acquire land*

- 2 (1) For the purposes of any of their functions under...

#### *Power to dispose of land*

- 3 Subject to paragraphs 4 to 6 and to the provisions...

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- 4 (1) Except with the consent of the Secretary of State...
- 5 A conservation board may not dispose under paragraph 3 of...
- 6 Section 128 of the Local Government Act 1972 (consents to...

*Provisions as to charges*

- 7 In section 152(2) of the Local Government and Housing Act...

SCHEDULE 15 — Areas of outstanding natural beauty: consequential amendments and transitional provisions

Part I — CONSEQUENTIAL AMENDMENTS

*National Parks and Access to the Countryside Act 1949 (c. 97)*

- 1 In section 1 of the National Parks and Access to...
- 2 In section 112(2) of that Act (provisions not applying to...
- 3 In section 114(1) of that Act (interpretation), for the definition...

*Harbours Act 1964 (c. 40)*

- 4 In Schedule 3 to the Harbours Act 1964, in paragraph...

*Highways Act 1980 (c. 66)*

- 5 In section 105A of the 1980 Act (environmental impact assessments),...

*Derelict Land Act 1982 (c. 42)*

- 6 In section 1 of the Derelict Land Act 1982 (powers...

*Road Traffic Regulation Act 1984 (c. 27)*

- 7 In section 22 of the Road Traffic Regulation Act 1984...

*Housing Act 1985 (c. 68)*

- 8 In section 37 of the Housing Act 1985 (restriction on...
- 9 In section 157 of that Act (restriction on disposal of...

*Town and Country Planning Act 1990 (c. 8)*

- 10 In section 87 of the Town and Country Planning Act...

*Environmental Protection Act 1990 (c. 43)*

- 11 In section 130 of the Environmental Protection Act 1990 (countryside...

*Water Industry Act 1991 (c. 56)*

- 12 In section 156 of the Water Industry Act 1991 (restriction...

*Environment Act 1995 (c. 25)*

- 13 In Schedule 13 to the Environment Act 1995 (review of...

*Housing Act 1996 (c. 52)*

- 14 In section 13 of the Housing Act 1996 (restriction on...

Part II — TRANSITIONAL PROVISIONS

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- 15 In this Part “commencement” means the commencement of section 82....
- 16 Any order under section 87 of the 1949 Act (designation...
- 17 Any reference in any instrument or document (whenever made) to...
- 18 Anything done before commencement in connection with a proposed order...

#### SCHEDULE 16 — Repeals

- Part I — ACCESS TO THE COUNTRYSIDE
- Part II — PUBLIC RIGHTS OF WAY AND ROAD TRAFFIC
- Part III — SITES OF SPECIAL SCIENTIFIC INTEREST
- Part IV — WILDLIFE
- Part V — AREAS OF OUTSTANDING NATURAL BEAUTY
- Part VI — OTHER

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