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SCHEDULES

FIRST SCHEDULE

PROVISIONS AS TO SCHEMES AND ORDERS

PART I

SCHEMES UNDER SECTION ONE

- 1 Where the Minister proposes to make a scheme under section one of this Act, or where a scheme under that section is submitted to the Minister by a local highway authority, the Minister or that authority, as the case may be, shall publish in at least one newspaper circulating in the area in which the road to which the scheme relates is situated, and in the London Gazette or the Edinburgh Gazette, or in both those Gazettes, according as the scheme affects England or Scotland or both, a notice—
 - (a) stating the general effect of the proposed scheme ;
 - (b) specifying a place in the said area where copies of a draft of the scheme, or of the scheme as submitted to the Minister, as the case may be, and of any relevant map or plan may be inspected by any person free of charge at all reasonable hours during a period of three months from the date of the publication of the notice ; and
 - (c) stating that, within the said period, any person may by notice to the Minister object to the making or confirmation of the scheme.
- 2 Not later than the date on which the said notice is published as aforesaid, the Minister or the local highway authority, as the case may be, shall serve a copy thereof (together with a copy of the draft scheme or of the scheme, as the case may be, and of any relevant map or plan)—
 - (a) on the council of every county, county borough and county district or, in Scotland, on the council of every county, burgh and district, in which any part of the route of the special road is situated ; and
 - (b) where the scheme provides for the construction of a bridge over or tunnel under any navigable waters, on every navigation authority, catchment board or river board concerned with or having jurisdiction over the waters affected or the area comprising those waters.
- 3 If before the expiration of the said period of three months an objection is received by the Minister from any council, authority or board on whom a copy of the notice is required to be served under paragraph 2 of this Schedule, or from any other person affected by the proposed scheme, and the objection is not withdrawn, the Minister shall cause a local inquiry to be held :

Provided that except where the objection is made by any such council, authority or board as aforesaid, the Minister may dispense with such an inquiry if he is satisfied that in the circumstances of the case the holding of such an inquiry is unnecessary.

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- 4 In relation to any inquiry held in England under the last foregoing paragraph the provisions of subsections (2), (3), (4) and (5) of section two hundred and ninety of the Local Government Act, 1933, shall apply as they apply in relation to local inquiries held under that section with the substitution for references to a department of references to the Minister.
- 5 In relation to any inquiry held in Scotland under paragraph 3 of this Schedule, the provisions of subsections (3) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947, shall apply as they apply in relation to local inquiries under that section, but without prejudice to the provisions of paragraph 12 of this Schedule.
- 6 After considering any objections to the proposed scheme which are not withdrawn and, where a local inquiry is held, the report of the person who held the inquiry, the Minister may make or confirm the scheme either without modification or subject to such modifications as he thinks fit.