
STATUTORY INSTRUMENTS

2007 No. 2008

**The Rights of Way (Hearings and
Inquiries Procedure) (England) Rules 2007**

PART 5

MODIFICATION OF ORDERS

Modification of orders

27.—(1) This rule applies where the Secretary of State has given notice of his proposal to modify an order under—

- (a) paragraph 2(3)(a) of Schedule 6 to the 1980 Act (provisions as to making, confirmation, validity and date of operation of certain orders relating to footpaths, bridleways and restricted byways);
- (b) paragraph 8(2)(a) of Schedule 15 to the 1981 Act (procedure in connection with certain orders under Part III); or
- (c) paragraph 3(6)(a) of Schedule 14 to the 1990 Act (procedure for footpaths and bridleways orders).

(2) Where in accordance with the notice referred to in paragraph (1) any person has duly made and not withdrawn any representation or objection with respect to the proposal to modify the order, the Secretary of State shall give notice to—

- (a) the persons referred to in rule 4(4); and
- (b) any person who has duly made and not withdrawn any representation or objection with respect to the proposal to modify the order.

(3) Rule 4(3) shall apply to a notice given under paragraph (2) of this rule as it applies to a notice given under rule 4(1), but the notice given under paragraph (2) of this rule shall also describe the effect of the Secretary of State's proposal to modify the order.

(4) Rules 4(7) and 5 to 14 shall apply to hearings afforded by the Secretary of State in accordance with paragraph 2(3) of Schedule 6 to the 1980 Act⁽¹⁾ (provisions as to making, confirmation, validity and date of operation of certain orders relating to footpaths, bridleways and restricted byways), paragraph 8(2) of Schedule 15 to the 1981 Act⁽²⁾ (procedure in connection with certain orders under Part III) or paragraph 3(6) of Schedule 14 to the 1990 Act (procedure for footpaths and bridleways orders), except that—

- (a) in the application of rule 4(7), the notice given shall also describe the effect of the Secretary of State's proposal to modify the order; and

(1) Paragraph 2(3) of Schedule 6 to the 1980 Act has been amended by the Countryside and Rights of Way Act 2000, Schedule 6, paragraph 23(1) and (5)(b).
(2) Paragraph 8(2) of Schedule 15 to the 1981 Act has been amended by the Countryside and Rights of Way Act 2000, Schedule 5, Part 1, paragraph 11(1), and (7).

- (b) in the application of rule 6, for the references in rule 6(3) and (5) to “12 weeks of the start date” there shall be substituted “eight weeks of the start date”.
- (5) Rules 4(7) and 15 to 26 shall apply to inquiries caused to be held by the Secretary of State in accordance with the provisions of the 1980 Act, the 1981 Act or the 1990 Act mentioned in paragraph (4), except that—
- (a) in the application of rule 4(7), the notice given shall also describe the effect of the Secretary of State’s proposal to modify the order; and
 - (b) in the application of rule 17, for the references in rule 17(3) and (5) to “14 weeks of the start date” there shall be substituted “eight weeks of the start date”.

Changes to legislation:

There are currently no known outstanding effects for the The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007, Section 27.