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**Changes to legislation:** *Countryside and Rights of Way Act 2000, Paragraph 9 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### SCHEDULE 6

#### AMENDMENTS RELATING TO CREATION, STOPPING UP AND DIVERSION OF HIGHWAYS

##### PART I

###### AMENDMENTS OF HIGHWAYS ACT 1980

- 9 (1) Section 119 of the 1980 Act (diversion of footpaths and bridleways) is amended as follows.
- (2) In subsection (1)(b), for “so specified” there is substituted “ specified in the order or determined ”.
- (3) For subsection (3), there is substituted—
- “(3) Where it appears to the council that work requires to be done to bring the new site of the footpath or bridleway into a fit condition for use by the public, the council shall—
- (a) specify a date under subsection (1)(a) above, and
- (b) provide that so much of the order as extinguishes (in accordance with subsection (1)(b) above) a public right of way is not to come into force until the local highway authority for the new path or way certify that the work has been carried out.”.
- (4) In subsection (5)—
- (a) after “diversion order” there is inserted “ on an application under section 119ZA below or ”, and
- (b) for “him” there is substituted “ the person who made the application or representations ”.
- (5) After subsection (6) there is inserted—
- “(6A) The considerations to which—
- (a) the Secretary of State is to have regard in determining whether or not to confirm a public path diversion order, and
- (b) a council are to have regard in determining whether or not to confirm such an order as an unopposed order,
- include any material provision of a rights of way improvement plan prepared by any local highway authority whose area includes land over which the order would create or extinguish a public right of way.”

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#### Commencement Information

**I1** Sch. 6 para. 9(1)-(3) in force at 12.2.2003 for E. by S.I. 2003/272, art. 2(f)

**I2** Sch. 6 para. 9(1)-(3) in force at 31.5.2005 for W. by S.I. 2005/1314, art. 2(b)(iii)

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- I3** Sch. 6 para. 9(5) in force at 12.2.2003 for E. by S.I. 2003/272, **art. 2(b)**
- I4** Sch. 6 para. 9(5) in force at 1.4.2004 for W. by S.I. 2004/315, **art. 2(c)**
- I5** Sch. 6 para. 9(5) in force at 6.12.2006 for W. in so far as not already in force by S.I. 2006/3257, **art. 2(a)(i)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)