
STATUTORY INSTRUMENTS

1993 No. 10

**The Town and Country Planning
(Public Path Orders) Regulations 1993**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Town and Country Planning (Public Path Orders) Regulations 1993 and shall come into force on 31st January 1993.

(2) In these Regulations, unless the context otherwise requires,—

“the Act” means the Town and Country Planning Act 1990;

“authority” means the authority responsible for making the order;

“public path order” means an order made under section 257 (footpaths and bridleways affected by development: orders by other authorities) or 258 (extinguishment of public rights of way over land held for planning purposes) of the Act and includes an order revoking or varying any such order⁽¹⁾.

“Schedule 14” means Schedule 14 to the Act.

Form of public path order and map and priority of schedule to order

2.—(1) A public path order shall be in the relevant form set out in Schedule 1 to these Regulations or in a form substantially to the like effect, with such modifications as may be required, and shall at the end be sealed and dated.

(2) A public path order shall contain a map which shall be on a scale of not less than 1:2500 or, if such a map is not available, on the largest scale readily available.

Notice of public path orders

3.—(1) Any notice required to be given under Schedule 14 by an authority shall be in the relevant form set out in Schedule 2 to these Regulations or in a form substantially to the like effect.

(2) The persons on whom notice is required to be served under paragraphs 1(2)(b) and 7(1)(b) of Schedule 14 shall in respect of the areas specified in column 1 of Schedule 3 to these Regulations include the persons specified in column 2 of Schedule 3 to these Regulations.

Procedure for public path orders

4.—(1) A public path order shall be made in duplicate, and where the order is submitted to the Secretary of State for confirmation the order and duplicate shall be sent to him accompanied by:

(a) two copies of the order and a copy of any notice published as required by paragraph 1(2)(a) of Schedule 14,

(b) a statement by the authority of the grounds on which the authority consider that the order should be confirmed, and

(1) See Section 333(7) of the Act.

(c) any representations or objections which have been duly made with respect to the order and not withdrawn, together with the observations thereon of the authority.

(2) Where a public path order provides for extinguishing a right of way over land under, in, over, along or across which there is any apparatus belonging to or used by statutory undertakers for the purpose of their undertaking, the consent of the undertakers to such order shall also be sent to the Secretary of State when the order is submitted to him for confirmation.

(3) After a decision not to confirm a public path order, the authority shall, as soon as the requirements of paragraph 7(4) of Schedule 14 have been complied with, so certify in writing to the Secretary of State.

(4) After a public path order has been confirmed by the Secretary of State, the authority shall, as soon as the requirements of paragraph 7(1) of Schedule 14 have been complied with, so certify in writing to the Secretary of State and send him a copy of the notice of confirmation of the order served under paragraph 7 or given under paragraph 8 of Schedule 14.

(5) After a public path order has been confirmed the authority shall send a copy of it as confirmed to the Ordnance Survey.

Revocation

5. The Town and Country Planning (Public Path Orders) Regulations 1983(2) are hereby revoked.

7th January 1993

Michael Howard
Secretary of State for the Environment

6th January 1993

David Hunt
Secretary of State for Wales