

2007 No. 163

COUNTRYSIDE

**The Land Reform (Scotland) Act 2003 (Path Orders)
Regulations 2007**

<i>Made</i>	- - - -	<i>6th March 2007</i>
<i>Laid before the Scottish Parliament</i>		<i>6th March 2007</i>
<i>Coming into force</i>	- -	<i>29th March 2007</i>

The Scottish Ministers, in exercise of the powers conferred by section 22(6) and 98(3) of the Land Reform (Scotland) Act 2003(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Land Reform (Scotland) Act 2003 (Path Orders) Regulations 2007 and shall come into force on 29th March 2007.

Form of path orders

2.—(1) A path order shall be in the form set out in the Schedule to these Regulations with such modifications as the circumstances may require.

(2) A map contained in a path order by virtue of section 22(6) of the Land Reform (Scotland) Act 2003 shall be on a scale not less than 1:10,000.

SARAH H BOYACK
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
6th March 2007

(a) 2003 (asp 2); section 98(1) defines the expressions "prescribed" and "Ministers".

SCHEDULE

(Regulation 2(1))

FORM OF PATH ORDER UNDER SECTION 22(1) OF THE LAND REFORM (SCOTLAND) ACT 2003

[Title and year of order]

Whereas it appears to [name of local authority] “the authority” that, having regard to the rights and interests of–

- (a) the owner(s) of the land in respect of which access rights are exercisable; and
- (b) persons likely to exercise those rights;

in [general description of area/region] it is expedient to delineate a path in accordance with section 22 of the Land Reform (Scotland) Act 2003 (“the Act”);

And whereas it appears to the authority to be impracticable to delineate the path by means of a path agreement under the Act;

[(if appropriate) And whereas any relevant statutory undertaker(s) has consented to the making of this order;]

And whereas notice of intention to make a path order has been given in accordance with paragraph 1 of Schedule 1 to the Act and [state whether objections received or withdrawn];

[(if appropriate) And whereas the Scottish Ministers [have afforded an opportunity to affected owners of land who objected to the proposed path to be heard by a person appointed for the purpose, have considered that person’s report and] have, as endorsed by their subscription hereof, confirmed this order;]

Now therefore, the authority in exercise of the powers conferred by section 22 of the Act hereby makes the following order:

1. A path is hereby delineated, for the purposes of section 22 of the Act, following the route described in the Schedule to this order and as shown by a line delineated in red on the plan annexed and signed as relative hereto.

2. This order has effect in accordance with paragraph [as appropriate 3 or 7] of Schedule 1 to the Act.

3. This order may be cited as the [insert title and year of order]

(Signed for the authority)..... (date).....
..... (witness)

Schedule

DESCRIPTION OF ROUTE OF PATH

[insert description]

[(if appropriate)The Scottish Ministers hereby confirm this Order.

(date)
A member of the staff of the Scottish Ministers
..... (witness)]

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the form of path orders made by local authorities under and in accordance with section 22 of the Land Reform (Scotland) Act 2003.

The form in which the order should be made, subject to such modifications as the circumstances may require, is set out in the Schedule.

A map contained in a path order must be on a scale of not less than 1:10,000 (regulation 2(2)).

£3.00

© Crown Copyright 2007

Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland

170

03/07

19593