The National Park Authority shall carry out on behalf of the Council those duties set out in Part 1 of the Schedule in relation to those Public Rights of Way recorded on the Definitive Map and Statement at the time of this Agreement.

Where Public Rights of Way are newly recorded on the Definitive Map, subsequent to this Agreement, the Authority’s duties under Parts 1 and 3 of the Schedule will only extend to those routes where the Authority has given its express written consent or where routes are added as a result of the Authority exercising a power under Section 53(2) of the Wildlife and Countryside Act, 1981 listed in Part 4 of Schedule 1.

The National Park Authority may, but shall have no duty to, exercise those powers set out in Part 2 of the Schedule. These powers may be exercised without the express written consent of the County Council.

The National Park Authority shall carry out on behalf of the Council those duties set out in Part 3 of the Schedule in relation to those Rights of Way recorded on the Definitive Map and Statement at the time of this Agreement and give written notice to the Council, when it decides not to exercise those duties. These duties may be exercised without the express written consent of the Council. Where the Authority opts not to undertake these duties the Council will be responsible for fulfilling these duties itself in accordance with its own priorities.

The Authority shall have no duty but may, on receipt of the written permission of the Council, exercise those powers set out in Part 4 of the Schedule.

**The Schedule**

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| **Part 1** | |
| **Statutory Duty** | **Summary of Content** |
| Highways Act 1980 s41 (excluding 41 1(A)) | To maintain publicly maintainable highways. |
| Highways Act 1980 s134 | To enforce the restoration of footpaths and bridleways lawfully ploughed or disturbed |
| Highways Act 1980 s135 | To make an order temporarily diverting a footpath, bridleway or restricted byway to enable agricultural excavation or engineering works to be carried out subject to conditions of ss(2) being met |
| Highways Act 1980 s175A | Duty to have regard to the needs of disabled and blind people when executing works in the highway |
| Countryside Act 1968 s27 | To signpost and waymark footpaths, bridleways, restricted byways and byways where they leave metalled roads and elsewhere to help people follow the route |
| National Parks and Access to the Countryside Act 1949 s57 | Duty to prevent display of notices deterring public use of routes shown on the definitive map |

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| **Part 2** | |
| **Statutory Provision** | **Summary of content** |
| Highways Act 1980 s132 | To remove unauthorised signs from rights of way |
| Highways Act 1980 s135A & B | Provisions for the temporary diversion of highways to allow dangerous works |
| Highways Act 1980 s143 | To require the removal of a structure or other obstruction from a right of way |
| Highways Act 1980 s146 | To require maintenance work to be undertaken on stiles or gates |
| Highways Act 1980 s147 | To authorise new stiles or gates |
| Highways Act 1980 s149 | To require removal of things deposited on a right of way causing a nuisance |
| Highways Act 1980 s154 | To require the cutting back of vegetation overhanging a right of way |
| Highways Act 1980 s160A and Schedule 12A | Carrying out works in connection with the disturbance of the surface of highways |
| Highways Act 1980 s161 | Dangers and annoyances on the highway |
| Highways Act 1980 s163 | Prevention of water flowing onto the highway |
| Highways Act 1980 s164 | To require the abatement of a nuisance caused by barbed wire adjoining a right of way |
| Highways Act 1980 s165 | To require the fencing of dangerous land adjoining a right of way |
| Highways Act 1980, s167 | Construction and repair of retaining walls near streets |
| Highways Act 1980, s169 | Control of scaffolding on highways |
| Highways Act 1980, s171 | Control of building materials and excavations in a “street” |
| Highways Act 1980, s172 | Erection of hoardings during work to buildings in a “street” |
| Highways Act 1980, s173 | Secure erection of hoardings |
| Highways Act 1980 s43(2) | Power of Highway Authority to meet highway maintenance costs incurred by parish councils |
| Highways Act 1980 s45 | Power to get materials for the maintenance of public highways |
| Highways Act 1980 s46 | Supplementary provisions to s45 |
| Highways Act 1980 s57 | Recovery of expenses of highway maintenance from persons liable to maintain |
| Highways Act 1980 s59 | Recovery of expenses due to extraordinary traffic |
| Highways Act 1980 s66(3) | To provide barriers, posts, rails or fences on a publicly maintainable footpath or bridleway to safeguard persons using the highway |
| Highways Act 1980 s77 | Raising or lowering the level of highways |
| Highways Act 1980 s80 | Power to fence highways |
| Highways Act 1980 s81 | Boundary markers |
| Highways Act 1980 s96 | Planting of trees and shrubs |
| Highways Act 1980 s100 | Drainage works by Highway Authority |
| Highways Act 1980 s101 | Filling in or piping of dangerous roadside ditches |
| Highways Act 1980 s102 | Protection of highways against snow, flood, landslide or other natural hazards |
| Highways Act 1980 s122 | Temporary diversions during repair or widening of highways |
| Highways Act 1980 s145 | Power to require enlargement of gates across bridleways |
| Highways Act 1980, s289 | Powers of entry onto land for surveying |
| Highways Act 1980, s290 | Supplementary to Section 289 |
| Highways Act 1980, s291 | Power of entry onto land to maintain structures & works |
| Highways Act 1980, s293 | Power of entry onto land for purposes connected with orders relating to footpaths & bridleways |
| Highways Act 1980, s294 | Provisions relating to enforcement of rights of entry |
| Highways Act 1980, s295 | Power to dispose of materials left in the street |
| Highways Act 1980, s296 | Power to execute works on behalf of other persons |
| Highways Act 1980, s297 | Power to obtain information about land ownership |
| Highways Act 1980, s300 | Right to use vehicles and appliances on footpaths & bridleways |
| Highways Act 1980, s305 | Recovery of expenses from persons liable |
| Wildlife and Countryside Act 1981, s62 | Appointment of wardens for public rights of way |
| Road Traffic Regulation Act 1984, s14 | Temporary prohibition or restriction of traffic |
| Road Traffic Regulation Act 1984, s65 | Power to place traffic signs |
| Road Traffic Regulation Act 1984, s69 | Power to require removal of privately placed signs |
| Road Traffic Regulation Act 1984, s71 | Power to enter land in connection with traffic signs |
| Road Traffic Regulation Act 1984, s92 | Placing bollards, etc. to give effect to traffic orders |
| Road Traffic Act 1968, s33 | Authorisation of motor vehicle trials on footpaths & bridleways |

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| **Part 3** | |
| Highways Act 1980 s56 | Receipt of and response to notices re: ways/bridges being out of repair |
| Highways Act 1980 s130, s130A, s130B, s130C, s130D | To assert and protect the rights of the public to the use and enjoyment of, and to prevent so far as possible the stopping up or obstruction of highways |

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| **Part 4**  **(The Authority may carry out on receipt of written consent from the Council)** | |
| Wildlife and Countryside Act 1981 s53 | To make Definitive Map Modification Orders |
| Highways Act 1980 s62, 72 and 76 | To improve, widen or level rights of way |
| Highways Act 1980 s91 | Construction of bridges |
| Highways Act 1980 s92 | Reconstruction of bridges maintainable at public expense |
| Highways Act 1980 s93 | Power to make orders as to reconstruction etc. of privately maintainable bridges |
| Highways Act 1980 s94 | Power of Highway Authority & bridge owners to enter into agreements |