



The Planning Inspectorate

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Your Ref: PRow/LHP/13/135/28
Our Ref: FPS/Z1585/4/22
Date: 17 August 2015

Dear Sir

HIGHWAYS ACT 1980 SECTION 119
Essex County Council
Public Path Diversion Order Footpath 16 Stanway in the Borough of Colchester

I refer to the above named Order, which was submitted to the Secretary of State for confirmation.

On further examination by an Inspector it has been noted that the Order document has been incorrectly drafted. Regulation 2(3) of the Public Path Orders Regulations 1993 (SI 1993 No.11) requires that the map contained in an order shall be on a scale of not less than 1:2500 or, if no such map is available, on the largest scale readily available. The map attached to this Order is of an incorrect scale.

The Secretary of State takes the view that this constitutes a fundamental error which is fatal to the validity of the Order. As she cannot purport to use her power of modification to correct such an error, she has decided not to exercise her power of confirmation. The sealed Orders are returned herewith.

A copy of this letter has been sent to the other main parties to the Order.

Yours sincerely

Caroline Baylis

Rights of Way Section