



The Planning Inspectorate

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Mr Kennedy
London Borough of Brent
Brent Civic Centre
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Your Ref:
Our Ref: FPS/T5150/5/2
Date: 15 February 2016

Dear Mr Kennedy

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
London Borough of Brent
(Footpath No.87 Diversion Order) (No.1) Order 2015

I am directed by the Secretary of State for Environment, Food and Rural Affairs to refer to the above named Order, which was submitted to him for confirmation on 4 February 2016.

Examination of the Order and map has revealed that the Order has been incorrectly drafted. Regulation 2(2) of the Town and Country Planning (Public Path Orders) Regulations 1993 (SI 1993 No.10) 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. It has been noted that whilst the map scale is given as 1:1000 @ A1, the map has been printed at A3 size and therefore it is considered that the map attached to this Order is of an incorrect scale. The notation on the map is also not correct, the diverted path should be shown as a bold black line and the new path or way should be shown as bold black dashes (this has been reversed). The opening paragraph does not mention the relevant planning permission or give a description of development.

The Secretary of State takes the view that this constitutes a fundamental error which is fatal to the validity of the Order. As he cannot purport to use his power of modification to correct such an error, he has decided not to exercise his power of confirmation. The sealed Orders are returned herewith and a copy of this letter has been sent to the objectors and all other interested parties.

I also enclose for your information a copy of our checklist for Order Making Authorities.

Yours sincerely

Yvonne Oddy (Mrs)
Rights of Way Section