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Stuart Crook
Public Rights of Way Officer
Rutland County Council
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Your Ref:
Our Ref: FPS/A2470/7/6
Date: 26 September 2016

By Email only

Dear Sir

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53
Rutland County Council District Council
(FootpathE360, Parish of Braunston) Definitive Map Modification 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 her for confirmation on 29 July 2016.

Examination of the Order and map has revealed that the Order has been incorrectly drafted in that only one copy was made on 11 August 2016. Schedule 4 of SI 1993 No.12 clearly states that an order shall be made in duplicate.

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.

A copy of this letter has been sent to the objectors and all other interested parties.

Yours faithfully

Rachael Sayers

Mrs R Sayers

Rights of Way Section