



# The Planning Inspectorate

3/25 Hawk Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Direct Line: 0303 444 5463  
Customer Services: 0303 444 5000  
Fax No: 0117 372 6153  
e-mail: [yvonne.oddy@pins.gsi.gov.uk](mailto:yvonne.oddy@pins.gsi.gov.uk)

---

Alexander O'Dwyer  
London Borough of Havering  
Town Hall  
Main Road  
Romford, Essex  
RM1 3BD

Your Ref: AOD - 106/9/58  
Our Ref: FPS/B5480/5/1  
Date: 18 November 2015

---

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257  
London Borough of Havering  
(Public Footpath 198) Stopping Up and Diversion 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 29 October 2015.

Examination of the Order and map has revealed that the Order and Notice have been incorrectly drafted in that neither the Order or the Notice are substantially in the format as laid down within the Town and Country Planning (Public Path Orders) Regulations 1993 (SI 1993 No. 10).

Paragraph 2(1) of the Regulations states "A public path order shall be in the relevant form set out in Schedule 1 to these Regulations or in a form substantially to the like effect..." and Paragraph 3(1) of the Regulations states "Any notice required to be given under Schedule 14 by an authority shall be in the relevant form set out in Schedule 2 to these Regulations or in a form substantially to the like effect."

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 have also noted that there are quite a few documents missing. I enclose a copy of our checklist, which you may find helpful for any further Orders that you send to us.

Yours faithfully

*Yvonne Oddy*  
Yvonne Oddy (Mrs)  
(Rights of Way Section)