



# The Planning Inspectorate

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

Direct Line: 0303 444 5502  
Customer Services: 0303 444 5000  
e-mail: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk)

---

Rohan Seeliger-Morley  
Hampshire County Council  
Countryside Service - RoW Office  
Castle Avenue  
Winchester, Hampshire  
SO23 8UL

Your Ref: DMMO/884  
Our Ref: ROW/3171229  
Date: 28 March 2017

---

Dear Madam

## WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Hampshire County Council

The Hampshire (Test Valley Bolrough No 61) (Parish of East Dean) Definitive Map  
Modifiation Order 2016

I am directed by the Secretary of State for Environment, Food and Rural Affairs to refer to the above named Order, which was submitted for confirmation on 6 March 2017.

Examination of the Order and map has revealed that the Order has been incorrectly drafted. Regulation 3 of the Wildlife and Countryside (Definitive Maps and Statement) Regulations 1993 requires that the notation to be used on definitive maps should be as indicated in Schedule 1 of the Regulations. One of the route claimed in the Order is a Restricted Byway, therefore, the correct notation would be that shown in Schedule 1 section (a) of the Regulations; that being either a broken green line or by a broken line with small arrowheads. However it has been indicated on the Order map as a continuous line with cross bars at intervals (the notation for bridleway) which is considered significantly incorrect and misleading.

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 for information to those interested parties identified to us in your Order submission.

Yours faithfully

*Yvonne Oddy (Mrs)*  
Rights of Way Section