



The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer Services:
0303 444 5000

Email:
Caroline.Baylis@pins.gsi.gov.uk

www.gov.uk/planning-inspectorate

Your Ref: WCA/APWCA 003 RIS
Our Ref: ROW/3218374

Mr Andrew Prigmore
Bedford Borough Council
Borough Hall
Cauldwell Street
BEDFORD
MK42 9AP

30 January 2019

Dear Mr Prigmore,

Wildlife and Countryside Act 1981 - Section 53
Order Making Authority: Bedford Borough Council
Title of Order: The County Council of Bedfordshire (Definitive Map and Statement for Bedfordshire) (Riseley: Byway Open to All Traffic No. 71) Modification Order 2006

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 7 December 2018.

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. The route claimed in the Order is a byway open to all traffic, therefore, the correct notation would be that shown in Schedule 1 section (d) of the Regulations, that being either a continuous brown line or by a continuous line with arrowheads alternately above and below the line. However, it has been indicated on the Order map as a broken line, 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 he cannot purport to use his power of modification to correct such an error, he has decided not to exercise his power of confirmation.

I would like to draw your attention to the attached Advice note No.22 regarding notation.

Please would you inform the interested parties to the Order.

Yours sincerely,

Caroline Baylis
Caroline Baylis

