



The Planning Inspectorate

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Ms Katherine Hall
Bassetlaw District Council
Queens Buildings
Worksop
Nottinghamshire
S80 2AH

Your Ref: KAH/JA/01756
Our Ref: FPS/A3010/5/1
Date: 1 August 2013

Dear Ms Hall

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

Bassetlaw District Council

Unregistered Public Footpaths/Bridleways/Restricted Byways crossing the site known as land to the east of Carlton Road, Worksop, Nottinghamshire
Public Path Diversion/Stopping Up Order 2012

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 10 July 2013.

Having checked the Order carefully it has been noted that the alternative route shall be a permissive pedestrian route. A right of way must be definitive rather than permissive. This is to ensure that the right of the public is protected.

The Secretary of State takes the view that a fundamental error such as this 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 also like to draw your attention to the attached list of documents which are required when submitting an Order. I have noted that you have only sent us one sealed Order. I am assuming that you have kept the second sealed Order, if you have not, then you must make two sealed Orders and they must both be forwarded to us if you have to submit the Order to us for determination.

The sealed Orders are returned herewith and a copy of this letter has been sent to the applicant, objectors and all other interested parties.

Yours sincerely

Yvonne Oddy

Yvonne Oddy (Mrs)
(Rights of Way Section)

