

NOTICE OF CONFIRMATION OF RAIL CROSSING DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119A

SUFFOLK COUNTY COUNCIL (PARISH OF HIGHAM) (HIGHAM FOOTPATH 1 (PART))

RAIL CROSSING DIVERSION ORDER 2023

On 3rd May 2023 Suffolk County Council confirmed the above order made under section 119A of the Highways Act 1980 (as amended by the Transport and Works Act 1992). The effect of the order as confirmed will divert part of Higham Footpath 1 from Ordnance Survey Grid Reference (OSGR) 57434 26605 running northwards to cross the railway line and a field to join the A14 at OSGR 57433 26622, to a new route from OSGR 57434 26605, running eastwards parallel to the railway line and to the south of a belt of trees, to join Higham Road at OSGR 57461 26604. The diverted path will have a width of 2 metres.

A copy of the order as confirmed and the order map may be inspected free of charge at Mildenhall Library, Mildenhall Hub, Sheldrick Way, Mildenhall, IP28 7JX as follows: Monday to Friday – 9:00am to 5:30pm, Saturday 9:00am to 5:00pm and Sunday 10:00am to 4:00pm. A copy of the confirmed order and the order map may be obtained by email or post free of charge by contacting Rosalinde Emrys-Roberts by email: ros@routewise.org or telephone: 07850 506924.

They can also be viewed at: <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/definitive-map-and-statement>

The order comes into force on 12th July 2023 but if any person aggrieved by the order desires to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order, they may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from the date of this notice, make an application to the High Court.

Dated: 09 June 2023



Nigel Inniss

Head of Governance, Suffolk County Council,
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX



RAIL CROSSING DIVERSION ORDER
HIGHWAYS ACT 1980, SECTION 119A
SUFFOLK COUNTY COUNCIL (PARISH OF HIGHAM)
(HIGHAM FOOTPATH 1 (PART))
RAIL CROSSING DIVERSION ORDER 2023

This Order is made by Suffolk County Council ("the authority") under section 119A of the Highways Act 1980 ("the 1980 Act").

The footpath described in paragraph 1 of this order in the authority's area crosses a railway otherwise than by a tunnel or bridge.

It appears to the authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said footpath that it should be diverted onto the land of the same owner as described in Part 3 of the Schedule.

The authority has required the operator of the railway to enter into an agreement to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

Forest Heath District Council has been consulted as required by section 120(2) of the 1980 Act and has consented to the making of this order.

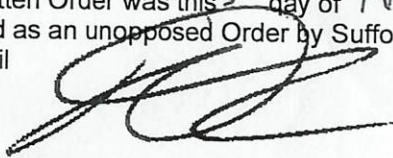
BY THIS ORDER:

1. The public right of way over the land situate at Higham (Forest Heath) shown by a bold continuous line on the map attached to this order ("the order map") and described in Part 1 of the Schedule hereto shall be extinguished at the end of 70 days from the date of confirmation of this order.
2. There shall at the end of 70 days from the date of confirmation of this order be a public footpath over the land situate at Higham described in Part 2 of the Schedule and shown by a bold broken line on the order map, ownership and occupation of which is set out in Part 3 of the Schedule. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 2 of the Schedule.

Date: 15 FEBRUARY 2023

This written Order was this 2nd day of MAY 2023 confirmed as an unopposed Order by Suffolk County Council

Signed:


Nigel Inniss
Head of Legal Services

THE COMMON SEAL OF SUFFOLK)
COUNTY COUNCIL was affixed)
In the presence of:)



JAJ

(An authorised Officer of the Council)

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SCHEDULE

Part 1

Description of Existing Footpath

Higham Footpath 1 (part)

That part of Higham Footpath 1 commencing at Ordnance Survey Grid Reference (OSGR) 57434 26605 (Point B) running northwards to cross the railway line and a field to join the A14 at OSGR 57433 26622 (point C) a total distance of 172 metres as shown on the order map.

Part 2

Description of New Footpath

Higham Footpath 1 (part)

Commencing at Ordnance Survey Grid Reference (OSGR) 57434 26605 (Point B), then running eastwards to the south of the belt of trees and crossing a ditch to join Higham Road at OSGR 57461 26604 (Point D), a total distance of 273 metres as shown on the order map.

Width:

2 metres between Point B (OSGR 57434 26605) and Point D (OSGR 57461 26604)

Limitations and Conditions:

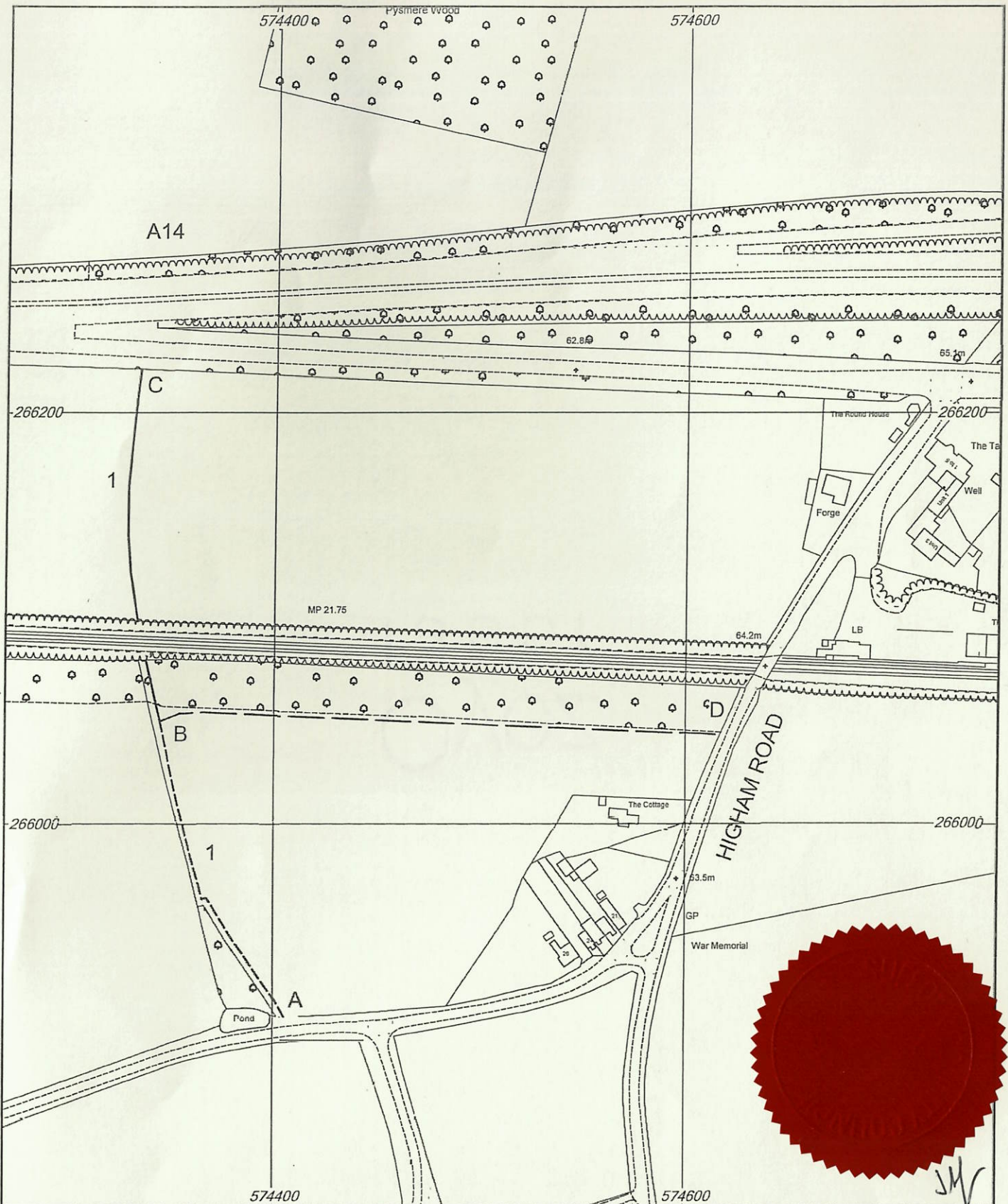
None

Map references are taken from OS MasterMap. Distances and widths specified above are rounded to the nearest metre.

Part 3

Ownership and Occupation

Between Points B-D on the order map the freehold owner (and occupier) of the land over which the new path will run is James Christopher Barclay, David William Barclay and the Mills and Reeve Trust Corporation Ltd.



**DIVERSION OF PUBLIC FOOTPATH NO 1 HIGHAM (PART)
HIGHWAYS ACT 1980 SECTION 119A**



Executive Director of Growth, Highways and Infrastructure Endeavour House, 8 Russell Road, Ipswich, Suffolk. IP1 2BX

- Footpath to be diverted (B-C)
- Proposed diversion (B-D)
- Unaffected footpath (A - B)

Scale 1:2500

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JMV