

## **Environmental Information Regulations – Response - 27414**

*We are writing to request the legal history and supporting records for Bridleway 35 / Byway Open to All Traffic No. 35 Long Melford, particularly the section between Cuckoo Tye Farm and Potters Tye Farm.*

*Please provide:*

*1. The date on which Bridleway 35 / No. 35 Long Melford was first recorded on the Definitive Map, and its recorded legal status as at 03 December 1988.*

Byway Open to All Traffic (BOAT) 35 Long Melford was added to the working copy Definitive Map and Statement by way of a Definitive Map Modification Order (DMMO), made on 28 March 1995 and confirmed by the Secretary of State for the Environment on 1st November 1999.

As at 3 December 1988 the route was not recorded as a Public Right of Way.

*2. The legal order, sealed order plan, statement amendment, confirmation notice, or other legal record by which the route became recorded, amended, upgraded, reclassified or treated as a Byway Open to All Traffic.*

See attached - scanned copy of the confirmed order, together with an extract from the current Definitive Statement for the parish of Long Melford.

*3. The full case file and outcome for the 07 December 2000 application made on behalf of XXXXXXXXXXXX, including the officer report, decision, reasons, consultation responses, objections, landowner correspondence, and any Planning Inspectorate decision.*

There is no case file. The formal application for deletion remains on the Council's backlog of cases for future investigation and is included on the Council's online statutory register of formal applications which can be viewed via the following link [Definitive map modification order register – Suffolk Public Rights of Way](#) (Ref CPM53)

*4. Any records showing whether Bridleway 35 / BOAT No. 35 Long Melford is legally separate from, or legally connected to, the track in front of Cuckoo Tye Farm House and/or any route SCC refers to as U8220.*

See Order map and Definitive Statement description, both of which confirm BOAT 35 connects to the U8220 road.

*5. Confirmation of which SCC team is now considering this issue, and whether the information will be dealt with as part of our existing Stage 1 complaint, as a separate Definitive Map / Rights of Way matter, or under EIR.*

Response provided under EIR provisions.

STATUS & NUMBER	DESCRIPTION, WIDTH, LIMITATION OR CONDITION
-----------------	---

BOAT 35 Commencing from the southern side of the U8220 road at grid reference 87964452 and progressing in a generally south-south-westerly direction, through field parcel number 8824, down a slope, along the eastern side of Cuckoo Tye Farm, across grassland, following along the eastern side of a hedgerow for a short distance, then along a hardcore track, within a grass hedge lined sunken lane between drains, passing between field parcel numbers 8635 to the west and 9631 to the east for approximately 307 metres to a culvert at grid reference 87874422; at this point continuing in the same direction through field parcel number 8824, up an incline, along a grass/natural surface track within a grass hedge lined sunken lane between drains, passing between field parcel numbers 6917 to the west and field parcel numbers 9211 and 8303 to the east, to pass through field parcel number 7997, passing between field parcel numbers 7999 and 7696 to the west and field parcel number 8298 to the east, becoming a hardcore track within a grass hedge lined sunken lane for approximately 300 metres to join the northern side of the U8221 road, opposite Potters Tye Farm at grid reference 87784394, for a total distance of approximately 607 metres.

Width: As defined by the boundary lines on Ordnance Survey Map 1:2500 1926 Edition (Sheet No. 72/8) as a minimum of 7 metres and a maximum of 17 metres between grid references 87964452 and 87944444 and on 1927 Edition (Sheet NO. 72/11) as a minimum of 7 metres and a maximum of 13 metres between grid references 87944444 and 87784394.

BOAT 36 Commencing at the Lavenham Parish boundary at grid reference TL89804963 and progressing in a generally north-north-westerly direction across field parcel numbers 6951/7963/8862 for approximately 8 metres to grid reference TL89804963; changing to a generally west-south-westerly direction across field parcel numbers 6372/6951/8862 to pass along the northern side of a triangular spinney (field parcel number 6154) for approximately 220 metres to grid reference TL89594956; changing to a generally north-north-westerly direction along the western edge of field parcel number 6372 and following the eastern side of a drain down a slope for approximately 293 metres to the north-western corner of field parcel number 6372 at grid reference TL89484983; changing to a generally north-westerly direction down a slope through field parcel number 4190 in the form of a hedge-lined sunken lane between drains to cross a drain for approximately 240 metres to a track at a point adjacent to the eastern corner of field parcel number 1495 at grid reference TL89315000; continuing in the same direction up an incline along a natural surface track within a grass lane along the western side of a hedgerow down a slope, becoming a hardcore track for approximately 465 metres to grid reference TL88975032; changing to a generally westerly direction down a slope then along level ground along a hardcore track passing between a farm building to the north and Melford Park Farm to the south up an incline as a sunken lane for approximately 118 metres to grid reference TL88865031; changing to a generally west-south-westerly direction continuing along the hardcore track down a slope passing through field parcel 8226 for approximately 212 metres to the Alpheton parish boundary at grid reference TL88685019.

Width: from grid reference TL89804963 to grid reference TL89484983 and from grid reference TL88905031 to grid reference TL88685019 - between the boundaries of the track shown on Ordnance Survey Sheet 63/12 1926 Edition Scale 1:2500, having a minimum width of 3 metres.

From grid reference TL89484983 to grid reference TL88905031 between the field boundary lines shown on Ordnance Survey Sheet 63/12 1926 Edition Scale 1:2500, varying between a minimum width of 4 metres and a maximum width of 11 metres.

APPLICATION FOR MODIFICATION ORDER  
WILDLIFE AND COUNTRYSIDE ACT, 1981

SUFFOLK COUNTY COUNCIL DEFINITIVE MAP AND  
STATEMENT FOR PUBLIC RIGHTS OF WAY

PARISH OF LONG MELFORD

To: The County Surveyor, Suffolk County Council,  
Of: St Edmund House, County Hall, Ipswich, Suffolk. 1P4 ILZ.

I Graham S. Pattrick of Bright's Farmhouse, Bright's Lane, Lavenham, Sudbury, Suffolk CO10 9PH acting on behalf of Mr. & Mrs. P. Miller of Cuckoo Tye Farm, Long Melford

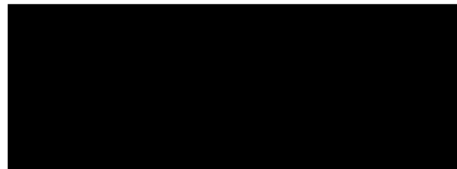
hereby apply for an order under Section 53 (2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by deleting byway open to all traffic (No 35 Long Melford) from Cuckoo Tye Farm, Melford to Potters Tye Farm, Melford and shown on the map annexed hereto.

I cite the following documents in support of this application:

1. All surviving records of the following Highway Authorities (all in Suffolk County Council's archives) viz :
  - a) The Parish Vestry Records (to 1894)
  - b) Lavenham Highway Board 1863 to 1880 including reports of meetings in *The Bury and Norwich Post & Suffolk Herald*
  - c) Melford Rural District Council (1894 onwards)
2. My letter dated 1<sup>st</sup> December 2000 + appendix II addressed to Suffolk County Council Secretary and Solicitors Office (summarised per attached)

Dated 7<sup>th</sup> December 2000

Signed



**FORM OF CERTIFICATE OF SERVICE OF NOTICE  
OF APPLICATION FOR MODIFICATION ORDER**

WILDLIFE AND COUNTRYSIDE ACT, 1981

SUFFOLK COUNTY COUNCIL DEFINITIVE MAP  
AND STATEMENT OF PUBLIC RIGHTS OF WAY  
PARISH OF LONG MELFORD

CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION  
FOR MODIFICATION ORDER  
(BYWAY NO. 35 LONG MELFORD)

To: The County Surveyor, Suffolk County Council  
of: St Edmund House, County Hall, Ipswich, Suffolk, 1P4 ILZ

I Graham S. Patrick of Bright's Farmhouse, Bright's Lane, Lavenham, Sudbury,  
Suffolk CO10 9PH, acting on behalf of Mr. & Mrs. P. Miller, Cuckoo Tye Farm, Long  
Melford

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife  
and Countryside Act 1981 have been complied with and that the following people  
have been served with a Notice under Schedule 8:

Name

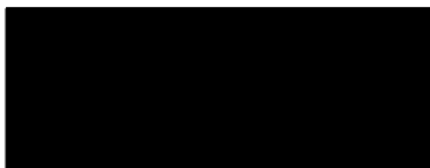
Sir Richard Hyde Parker  
Mr. F. May

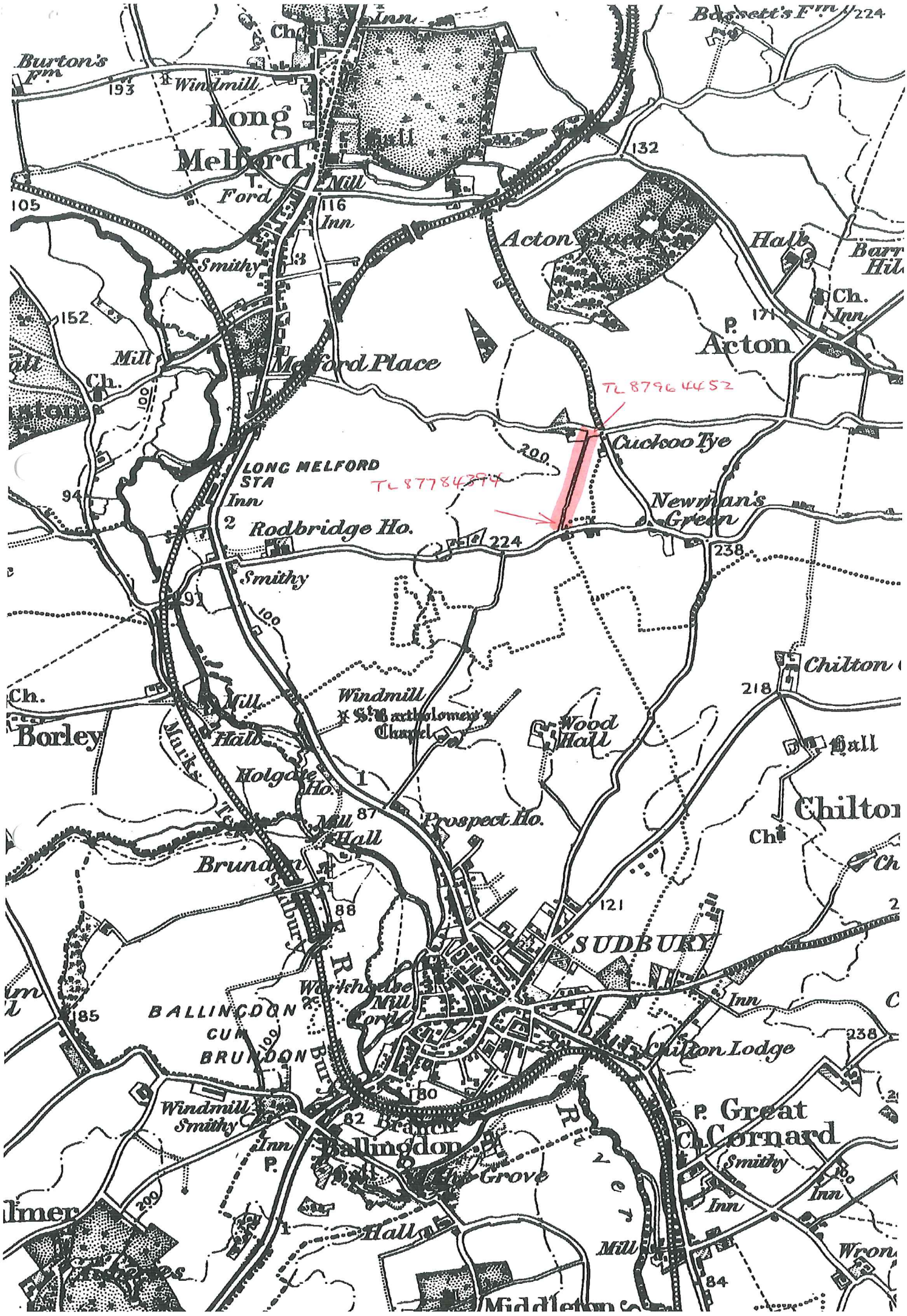
Address

Melford Hall, Long Melford  
Potters Tye Farm, Long Melford

Dated this seventh day of December 2000

Signed





Bassett's F<sup>m</sup> 1224

Burton's F<sup>m</sup> 193

Long Melford

132

105

Mill Inn

Acton

Half

Barr Hill

152

Mill

Melford Place

P. Acton

TL 87964452

Cuckoo Tye

LONG MELFORD STA Inn

TL 87784374

Rodbridge Ho.

Newman's Green

Borley

Windmill & S. Bartholomew's Chapel

Wood Hall

Chilton

Chilton

Brundon

Prospect Ho.

SUDBURY

BALLINGDON CUM BRUNDON

Worthhouse Mill

Inn

Chilton Lodge

Windmill Smithy

Ballingdon

P. Great Cornard

lmer

Grove

Inn

Inn

Middleton

Wron

**Subject:**

FW: Long Melford Footpath 006 and U8220

**From:** Highways Highway Records

**Sent:** 04 December 2025 08:32

**To:** GHI PROW Planning <PROWplanning@suffolk.gov.uk>

**Cc:** [REDACTED] <[REDACTED]@suffolk.gov.uk>

**Subject:** RE: Long Melford Footpath 006 and U8220

Good morning,

We hadn't yet replied to this query.

I am able to advise you that the route, in question, is an old historic highway. It is recorded as the U8220. The eastern tarmac section is an unclassified road, the remainder, through to Long Melford bypass, is an unsurfaced unclassified road. Therefore, the whole length is recorded as a publicly maintainable road and hence the public would have rights to use it as a road.

With regard to land ownership, title to the surface of a highway is vested in the Highway Authority by virtue of Section 263 of the Highways Act 1980, until such time as the land ceases to be highway. In most cases ownership of the soil beneath the highway remains with the original landowner or his successors in title, although the landowner must do nothing to obstruct or interfere with the highway, without the consent of the highway authority. Consequently, it is not unusual for areas of highway to be shown on the title deeds of properties, however, the highway rights are an over-riding interest. The land would only revert to the owner of the subsoil if the highway rights were stopped up by an appropriate legal process.

Furthermore, there is a legal maxim 'once a highway, always a highway'. This means that areas of highway do not cease to be highway simply because the County Council does not undertake regular maintenance on them or where there has been encroachment/maintenance by adjoining/nearby holdings.

I hope the above is of assistance to you in clarifying its status.

Kind regards

[REDACTED]  
Senior Highway Records Data Technician  
Highway Regulation

T: [REDACTED] | [www.suffolk.gov.uk/highways](http://www.suffolk.gov.uk/highways)

E: [REDACTED] [@suffolkhighways.org](mailto:[REDACTED]@suffolkhighways.org) or [highwayrecords@suffolkhighways.org](mailto:highwayrecords@suffolkhighways.org)

**Suffolk Highways** | Phoenix House, Goddard Road, Ipswich, SUFFOLK, IP1 5NP



**SUFFOLK HIGHWAYS**  
[www.suffolk.gov.uk/highways](http://www.suffolk.gov.uk/highways)

follow us on social media  
report a fault [highwaysreporting.suffolk.gov.uk](http://highwaysreporting.suffolk.gov.uk)  
what's happening in my area? <https://one.network>

Working together to build a positive legacy for Suffolk

My normal working days are Wednesday, Thursday and Friday

*Please note that we cannot guarantee that an exhaustive search has been made with regard to archived documents.*

---

**From:** GHI PROW Planning <[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)>  
**Sent:** 03 December 2025 08:34  
**To:** Highways Highway Records <[HighwayRecords@suffolkhighways.org](mailto:HighwayRecords@suffolkhighways.org)>  
**Cc:** [REDACTED] <[REDACTED]@suffolk.gov.uk>  
**Subject:** Re: Long Melford Footpath 006 and U8220

Hi Highways,

Please could you advise if a response has been sent to this query?

Thank you

[REDACTED]

Green Access Development Assistant

Suffolk County Council

Phoenix House

3 Goddard Road

Ipswich

IP1 5NP

Direct number: [REDACTED]

Email: [REDACTED]@suffolk.gov.uk

[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)



---

**From:** [REDACTED] <[REDACTED]@suffolk.gov.uk>  
**Sent:** 26 November 2025 10:33  
**To:** Highways Highway Records <[HighwayRecords@suffolkhighways.org](mailto:HighwayRecords@suffolkhighways.org)>

Cc: GHI PROW Planning <[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)>

Subject: Long Melford Footpath 006 and U8220

Hi Highways records,

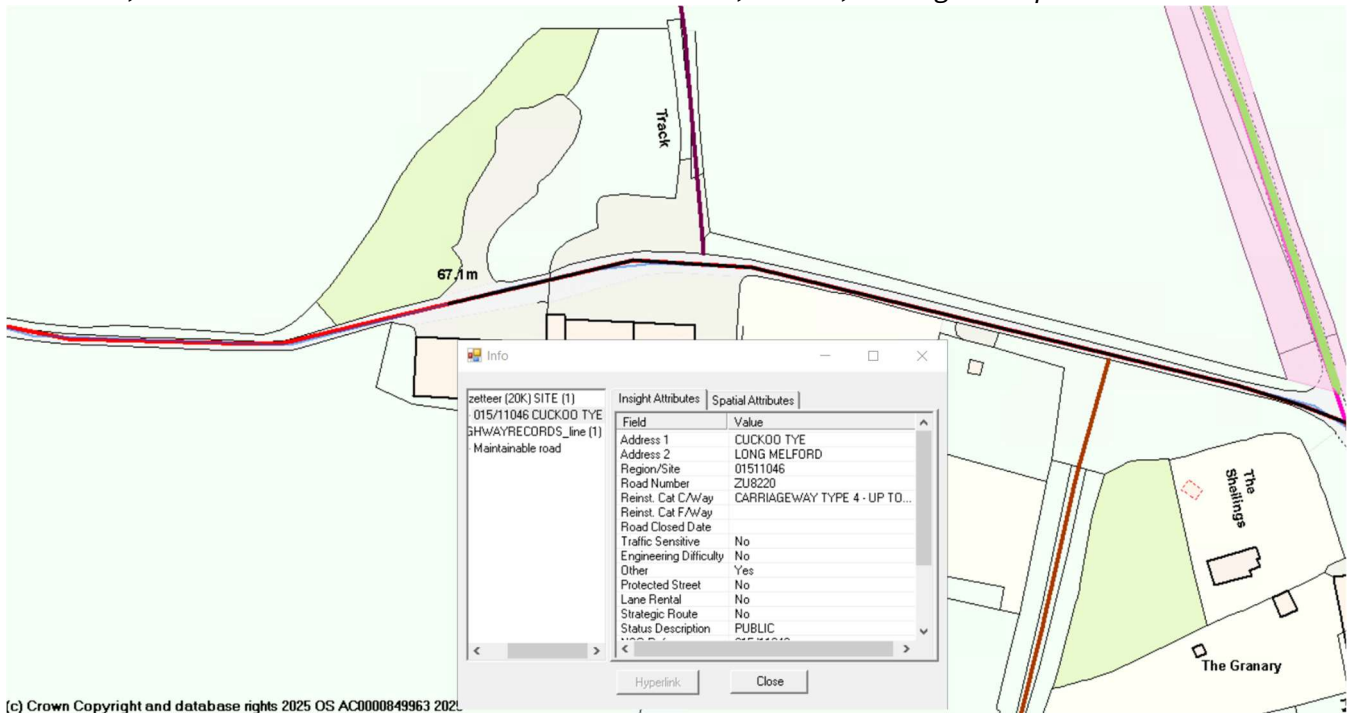
Can you please clarify a status for us?

We have an applicant who believes that the road named U8220 (pictured below) is a private deeded track as per the excerpt below:

*“Before reaching Footpath 6, vehicles would have to drive over our private deeded track, which is legally restricted to:*

- access for one dwelling, and*
- agricultural access only.*

*Therefore, no lawful vehicular access exists for customers, visitors, or the general public”.*



(c) Crown Copyright and database rights 2025 OS AC0000849963 2025

From Insight, I can ascertain that the line in black is the U8220 which appears to extend past Cuckoo Tye Farm and Footpath 006.

Therefore, we believe that the this is maintainable as carriageway and public have rights of access???

Any help will be very gratefully received.

Regards [Redacted]



[Redacted] : Green Access Planning Manager

**Rights of Way & Access**  
**Growth, Highways and Infrastructure Directorate**  
Suffolk County Council, Endeavour House, Russel Road,  
Ipswich, Suffolk, IP1 2BX.

[Redacted]@suffolk.gov.uk

01473 260429 | [Redacted]

Please note:

*The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee.*

*All informal advice is caveated and based on the information supplied and made readily available using the standards and guidance relevant at that time.*

*It does not bind Suffolk County Council on its response to any future planning applications or agreements.*

**NOTICE OF MODIFICATION ORDER**

**WILDLIFE & COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF MELFORD IN THE FORMER ADMINISTRATIVE COUNTY OF WEST SUFFOLK**

**SUFFOLK COUNTY COUNCIL (MELFORD RURAL DISTRICT DEFINITIVE MAP AND STATEMENT) (PARISH OF LONG MELFORD) MODIFICATION ORDER 1995**

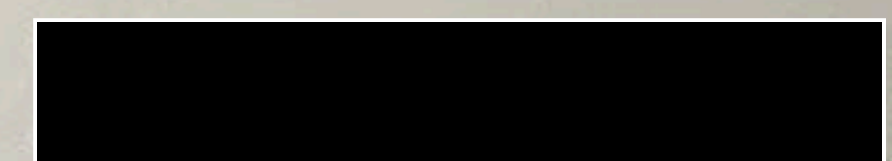
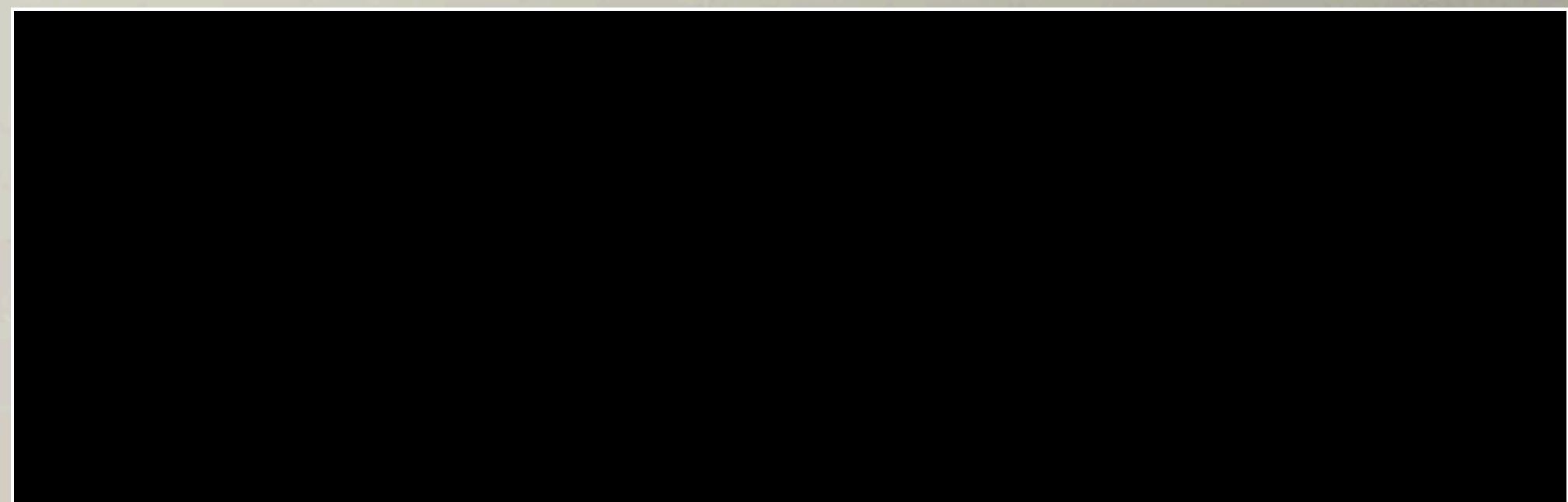
On 1 November 1999 the Department of Environment, Transport and the Regions confirmed the above-named Order. The effect of the Order as confirmed is to modify the definitive map and statement for the area by adding a byway open to all traffic in the parish of Long Melford running from the U8220 road adjacent to Cuckoo Tye Farm in a generally south-south-westerly direction for approximately 607 metres to the U8821 road opposite Potters Tye Farm.

A copy of the Order and of the map contained in it has been deposited and may be inspected free of charge at St. Helen Court, County Hall, Ipswich, between 9am and 5pm, Monday to Thursday and 9am to 4pm Friday, or purchased at a cost of £2. A copy of the Order may also be obtained upon written application to the County Secretary and Solicitor at the address below at a cost of £2.50.

A further copy of the order and of the map contained in it has been deposited and may be inspected free of charge at Long Melford Post Office, Hall Street, between 9am and 5.30pm, Monday to Friday and 9am to 12.30pm on Saturday.

The Order became operative on 1 November 1999 but if any person aggrieved by the Order desires to question its validity or of any provision contained in it on the grounds that it is not within the powers of Section 53 or that any of the requirements of Schedule 15 to the Wildlife and Countryside Act 1981 have not been complied with, they may within 42 days of the date of publication of this notice apply to the High Court.

Dated: 11 February 2000



**County Secretary & Solicitor**

St. Helen Court  
County Hall  
IPSWICH IP4 2JS

SCHEDULE

Byway 35 Long Melford

Commencing from the southern side of the U8220 road and progressing in a generally south-south-westerly direction along the eastern side of the Cuckoo Tye Farm, across grassland, following along the eastern side of a hedgerow for a short distance, then along a hardcore track, within a grass hedge lined sunken lane and continuing for approximately 307 metres to a culvert; continuing in the same direction along a grass/natural surface track within a grass hedge lined sunken lane, continuing through fields and then becoming a hardcore track within a grass hedge lined sunken lane for approximately 300 metres to join the northern side of the U8821 road, opposite Potters Tye Farm, for a total distance of approximately 607 metres.

**Width:**

As defined by the boundary lines on Ordnance Survey Map 1:2500 1926 Edition (Sheet No. 72/8) as a minimum of 7 metres and a maximum of 17 metres between grid references TL87964452 and TL87944444 and on 1927 Edition (Sheet No. 72/11) as a minimum of 7 metres and a maximum of 13 metres between grid references TL87944444 and TL87784394.

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF MELFORD  
IN THE FORMER ADMINISTRATIVE COUNTY OF WEST SUFFOLK

SUFFOLK COUNTY COUNCIL (MELFORD RURAL DISTRICT DEFINITIVE MAP AND STATEMENT)  
(PARISH OF LONG MELFORD) MODIFICATION ORDER 1995

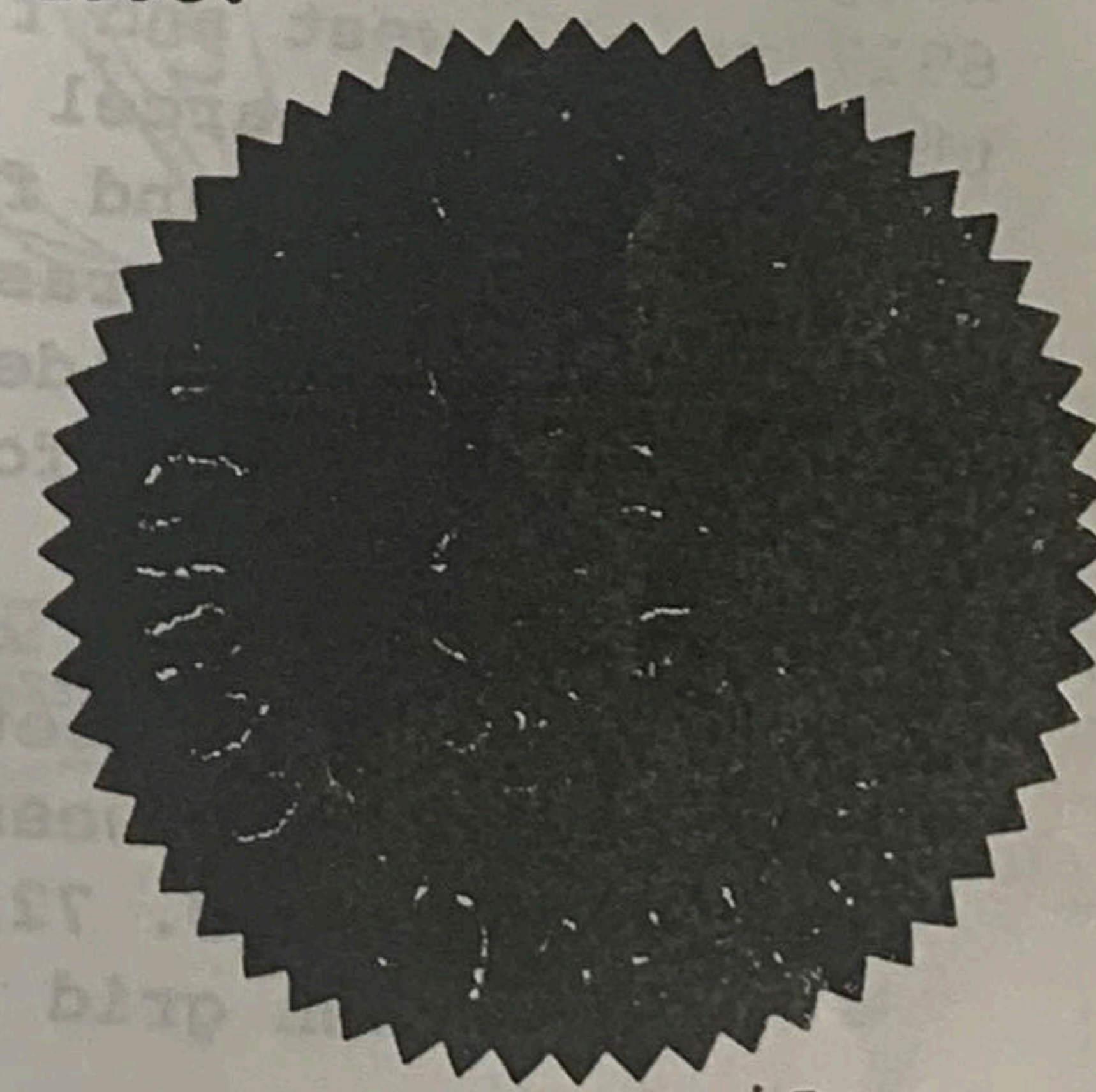
This order is made by Suffolk County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act"), because it appears to that authority that the Definitive Map and Statement for the former Rural District of Long Melford in the former Administrative County of West Suffolk require modification in consequence of the occurrence of events specified in section 53(3)(b) and (c)(i), namely, the expiration of a period such that enjoyment by the public of a way during that period raises the presumption that the way has been dedicated as a public path, and the discovery by the authority of evidence which shows that a right of way exists.

The authority have consulted with every local authority whose area includes the land to which the order relates. The Suffolk County Council hereby order that:

1. For the purpose of this order the relevant date is 1 March 1995.
2. The Definitive Map and Statement for the former Rural District of Melford in the former Administrative County of West Suffolk shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the order.
3. This order shall take effect on the date it is confirmed and may be cited as the Suffolk County Council (Melford Rural District Definitive Map and Statement) (Parish of Long Melford) Modification Order 1995.

Date: 28 March 1995

The COMMON SEAL of SUFFOLK )  
COUNTY COUNCIL was hereunto )  
affixed in the presence of:- )



10,004

[Redacted] )  
(A Member of the Council

[Redacted] )  
(A duly authorised Officer of the Council

This is a certified true copy.

[Redacted]  
County Secretary and Solicitor

[Redacted] .....

SCHEDULE

Part I: Modification of Definitive Map

Description of byway open to all traffic to be added

There shall be added to the Definitive Map for the former Rural District of Melford in the parish of Long Melford a byway open to all traffic between grid reference 87964452 and grid reference 87784394 (A-B), as shown on the attached map.

Part II: Modification of Definitive Statement

Particulars of byway open to all traffic to be added

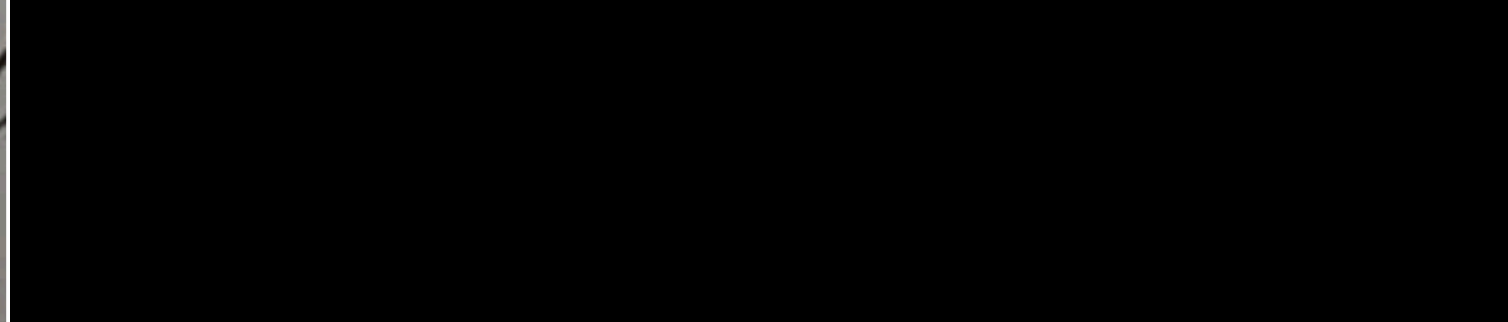
There shall be added to the Definitive Statement for the former Rural District of Melford in the parish of Long Melford the following particulars:

Byway 35

Commencing from the southern side of the U8220 road at grid reference 87964452 and progressing in a generally south-south-westerly direction, through field parcel number 8824, down a slope, along the eastern side of Cuckoo Tye Farm, across grassland, following along the eastern side of a hedgerow for a short distance, then along a hardcore track, within a grass hedge lined sunken lane between drains, passing between field parcel numbers 8635 to the west and 9631 to the east for approximately 307 metres to a culvert at grid reference 87874422; at this point continuing in the same direction through field parcel number 8824, up an incline, along a grass/natural surface track within a grass hedge lined sunken lane between drains, passing between field parcel numbers 6917 to the west and field parcel numbers 9211 and 8303 to the east, to pass through field parcel number 7997, passing between field parcel numbers 7999 and 7696 to the west and field parcel number 8298 to the east, becoming a hardcore track within a grass hedge lined sunken lane for approximately 300 metres to join the northern side of the U8221 road, opposite Potters Tye Farm at grid reference 87784394, for a total distance of approximately 607 metres.

Width: As defined by the boundary lines on Ordnance Survey Map 1:2500 1926 Edition (Sheet No. 72/8) as a minimum of 7 metres and a maximum of 17 metres between grid references 87964452 and 87944444 and on 1927 Edition (Sheet NO. 72/11) as a minimum of 7 metres and a maximum of 13 metres between grid references 87944444 and 87784394.

The Foregoing order is hereby confirmed.

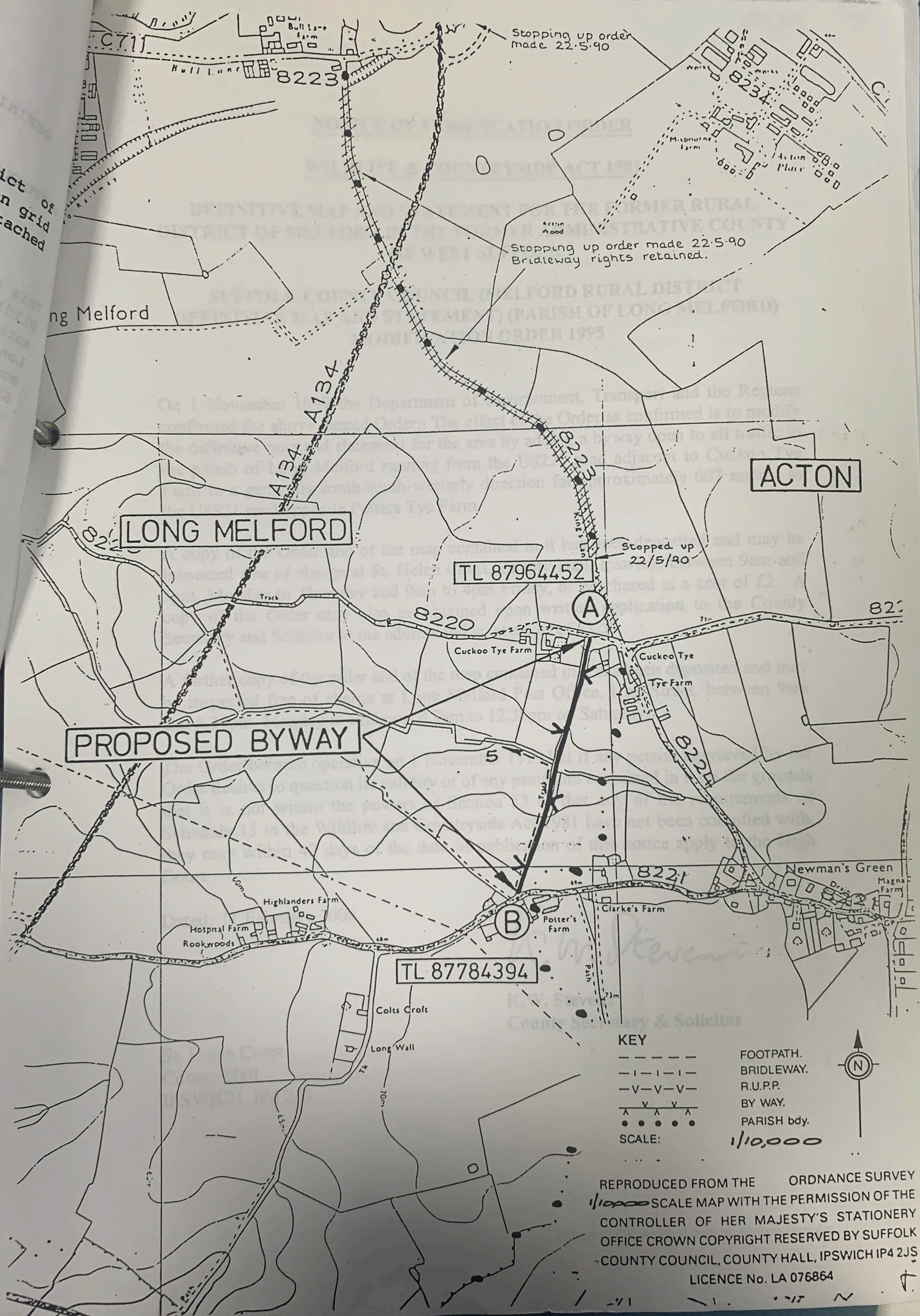
  
An Inspector appointed for  
the purpose by the  
Secretary of State  
for the Environment

1 November 1991

1 District of  
c between grid  
the attached

District

54452  
field  
arm,  
ort  
ne  
31  
e



PROPOSED BYWAY

LONG MELFORD

ACTON

TL 87964452

TL 87784394

KEY

- FOOTPATH.
- |-|- BRIDLEWAY.
- v-v-v- R.U.P.P.
- v-v-v- BY WAY.
- PARISH bdy.

SCALE:  
1/10,000



REPRODUCED FROM THE ORDNANCE SURVEY  
1/10,000 SCALE MAP WITH THE PERMISSION OF THE  
CONTROLLER OF HER MAJESTY'S STATIONERY  
OFFICE CROWN COPYRIGHT RESERVED BY SUFFOLK  
COUNTY COUNCIL, COUNTY HALL, IPSWICH IP4 2JS  
LICENCE No. LA 076864