Environmental Information Regulations – Response - 28134

We refer to paragraph 49 of your final response dated 7 October 2026, in which you state that the gates at the A134 bypass were

"which we understand were likely installed as part of the Bypass works by agreement with the landowners to discourage travellers"

We note your deliberate use of the expressions "we understand" and "likely".
Does SCC hold documentary evidence establishing that the gates were installed to discourage travellers?... or is this your own assumption, introduced to support the Council's preferred narrative while repeatedly dismissing our own evidence as conjecture?

The 1987 SCC meeting notes record proposals ***"to prevent future use by general vehicular traffic while permitting use by Mr Miller in his farming operations."*** *They further record* ***"a solution using locking gates, a gap to permit the passage of pedestrians and horses"***

We have found no reference to travellers in the 1987 documents disclosed to us.
This is particularly concerning given that SCC repeatedly criticised our own interpretation of historical evidence as conjecture and hypothesis, yet appears to apply a different evidential standard to its own conclusions.

Please provide the exact documentary evidence supporting your statement, or confirm that no such evidence is held.

I also refer to your reasoning at paragraph 70, suggesting that travellers between Long Melford and Acton would have been forced to turn around if the section through Cuckoo Tye were private.....Are you aware that Cuckoo Tye Farm House is the only dwelling along the entire disputed route, which served the farmhouse, farmyard and agricultural land? Are you also aware that King's Lane provided the principal access to Cuckoo Tye from Acton, while Bull Lane provided an established route between Long Melford and Acton?

One would have expected a senior highways officer to be familiar with the historical road network before advancing such an argument, particularly given the extensive evidence concerning King's Lane that we have repeatedly provided to SCC. Perhaps a closer reading of that evidence would have avoided this misunderstanding. And we leave that there.

Unless, of course, SCC holds documentary evidence supporting your assertion in paragraph 70, - that the historical route through Cuckoo Tye Farm served as a public vehicular through-route between Long Melford and Acton. ... We have been requesting

this evidence for over six months. If such evidence exists, please disclose it. If not, please confirm that your assertion is based on inference rather than documented historical fact.

We wish to establish whether your conclusion is supported by historical records or is simply your own inference.

This is a formal request under the Environmental Information Regulations 2004, not a request to reopen the complaints process.

Suffolk County Council (SCC) is refusing your request for information under regulation 12(4)(b) of the Environmental Information Regulations 2004 (EIR) as we have concluded that the request is manifestly unreasonable.

r.12(4)(b) enables a public authority to refuse to disclose environmental information where the request is manifestly unreasonable. The Information Commissioner's Office (ICO) states that the purpose of this exception is to protect public authorities from a manifestly unjustified, inappropriate or improper use of the EIR with one of the key considerations being whether a request is likely to cause a disproportionate costs or burden or an unjustified level of distress, disruption or irritation. The ICO further confirms that "manifestly unreasonable" requests under the EIR and "vexatious" requests under the Freedom of Information Act are essentially the same concept.

In reaching our decision, we have considered the request in its wider context, as recommended by the ICO. The ICO's guidance makes clear that public authorities are entitled to consider the context in which a request is made, including the burden arising from previous requests on the same subject from the same requester and the cumulative impact of ongoing correspondence.

This request forms part of a long-standing and extensive series of information requests, complaints, review requests and related correspondence concerning the same underlying subject matter, namely the historical status and use of routes in the Cuckoo Tye Farm area and associated archived records.

To date, the Council has received at least 19 information requests relating to this matter, together with numerous associated emails, complaints and challenges to previous responses. Some requests have been responded to, some withdrawn, some refused and others remain ongoing. The requests have consistently focused upon the same historical issues, records and interpretations of evidence.

SCC has also observed a recurring pattern whereby issues raised through one process are subsequently pursued through another. Information requests have overlapped with complaint investigations and review processes and matters which have already been addressed through one route have repeatedly been revisited through alternative channels. This has required officers to repeatedly revisit the same historical evidence, archive records, searches and explanations.

Whilst you state:

"This is a formal request under the Environmental Information Regulations 2004, not a request to reopen the complaints process."

SCC does not consider that the characterisation of the request by the requester determines its context. The ICO's guidance expressly recognises that the wider context and history of dealings between the parties are relevant considerations when assessing whether a request is manifestly unreasonable.

Although framed as a fresh EIR request, the substance of the request directly challenges statements made in a previous response, seeks further justification for conclusions already explained, raises issues that have previously been pursued through complaints and review processes, and continues a long-standing dispute regarding the interpretation of historical evidence. The request cannot realistically be divorced from that wider history. The Council also notes that the request does not simply seek previously unidentified environmental information. Rather, it asks the Council to:

- justify the wording used in previous responses;
- defend conclusions reached by officers;
- identify the evidential basis for statements already explained;
- revisit historical interpretations that have been discussed extensively over a prolonged period; and
- continue debate regarding competing interpretations of historical records.

Responding appropriately would therefore require officers to revisit substantial volumes of archive material already considered, review the history of disclosures previously made, retrace earlier searches, reconsider historical interpretations, and prepare further detailed responses dealing with matters that have already received extensive attention.

Although the individual questions may appear narrow when viewed in isolation, the ICO recognises that requests should not always be assessed in isolation and that authorities may consider the cumulative burden arising from multiple requests on the same subject from the same requester. The Council considers that the burden in this case arises from the prolonged and repetitive nature of the engagement as a whole rather than from the wording of the current request alone.

SCC has already devoted significant officer time over many months to:

- locating and retrieving archived records;
- reviewing historical highways documentation;
- responding to numerous information requests;
- conducting internal reviews;
- handling complaints;
- corresponding with multiple individuals regarding the same issues; and
- repeatedly explaining the Council's position on the interpretation of historical evidence.

SCC considers that requiring further engagement of this nature would impose a disproportionate burden on public resources, divert officers from their core functions and from responding to other requests, and perpetuate an ongoing cycle of correspondence that has already received extensive and detailed attention.

For these reasons, the Council considers the request to be manifestly unreasonable within the meaning of Regulation 12(4)(b).

Regulation 12(4)(b) is subject to the public interest test. We have therefore considered whether the public interest in maintaining the exception outweighs the public interest in disclosure

Factors in favour of disclosure:

- Increasing public understanding of matters relating to the historical highway network and associated environmental information.
- Supporting public participation in environmental matters.
- Furthering the general public interest in access to environmental information.

Factors in favour of release:

- Protecting the Council from the disproportionate burden associated with repeated and overlapping requests concerning the same matter.
- Preventing the unreasonable diversion of officer time and resources from the Council's primary functions and from responding to other information requests.
- Recognising the extensive volume of information, explanations and responses already provided on this subject.
- Avoiding the continuation of an ongoing cycle of correspondence which repeatedly revisits matters that have already been examined through information requests, reviews and complaint processes.
- The limited additional public value likely to arise from further reconsideration of issues that have been the subject of substantial previous engagement.

SCC also considers it relevant that considerable transparency has already been achieved through the information disclosed to date, together with the numerous responses, reviews and complaint investigations undertaken in relation to this matter. Any additional public benefit that might arise from further engagement is therefore significantly reduced, whereas the burden on the authority of continuing to revisit the same issues remains substantial.

In accordance with the EIR, SCC has applied a presumption in favour of disclosure when considering this request. However, having carefully considered the circumstances of the case, we remain satisfied that the public interest favours maintaining the exception for the reasons set out above.