

**NOTICE OF MODIFICATION ORDER  
SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF KEDINGTON  
IN THE DISTRICT OF WEST SUFFOLK**

**(a) SUFFOLK COUNTY COUNCIL (PARISH OF KEDINGTON FP32)  
MODIFICATION ORDER 2024**

**(b) SUFFOLK COUNTY COUNCIL (PARISH OF KEDINGTON FP33)  
MODIFICATION ORDER 2024**

The above orders made on 8 January 2024 if confirmed as made, will modify the definitive map and statement for the area by:

- (a) adding a footpath from Ordnance Survey grid reference 57037,24691 (point E) to Ordnance Survey grid reference 57034,24662 (point F) on the west side of The Cut, as shown on the order map.
- (b) adding a footpath from Ordnance Survey grid reference 57038,24691 (point A) to Ordnance Survey grid reference 57036,24662 (point D) on the east side of The Cut, as shown on the order map.

A copy of the orders and the order maps and an explanatory statement may be obtained by email or post, free of charge by contacting David Last by telephone: 01473 264770 or email: [david.last@suffolk.gov.uk](mailto:david.last@suffolk.gov.uk). They can also be viewed at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/making-changes-to-the-definitive-map-and-statement> or inspected at Kedington Library, Community Centre, Arms Lane, Kedington, CB9 7QQ. Opening times: Sunday, Monday Closed; Tuesday 9.00 to 13.00 and 13.30 to 17.00; Wednesday 9.30 to 15.30; Thursday 13.00 to 16.30; Friday, Saturday 9.00 to 13.00.

Any representation or objection relating to the orders must be sent in writing to the Definitive Map Manager, Rights of Way and Access, Suffolk County Council, Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP. Objections should be received not later than 6 March 2024, and applicants are requested to state the grounds on which they are made. Please bear in mind that such correspondence cannot be treated as confidential and may be inspected by any interested party. The Rights of Way and Access Privacy Notice can be viewed at: <https://www.suffolk.gov.uk/about/privacy-notice/rights-of-way-and-access-privacy-notice/>

If no representations or objections are duly made to an order, or to any part of it, or if any so made are withdrawn, Suffolk County Council, instead of submitting the order to the Secretary of State (or part of it if the authority has by notice to the Secretary of State so elected under paragraph 5 of Schedule 15 to the Wildlife and Countryside Act 1981) may itself confirm the order (or that part of the order). If an order is submitted to the Secretary of State for the Environment, Food and Rural Affairs in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated: 24 January 2024



**Nigel Inniss**

Head of Governance, Suffolk County Council,  
Endeavour House, 8 Russell Road, Ipswich, IP1 1BX

**THIS IS AN EXPLANATORY STATEMENT AND DOES NOT FORM PART OF THE ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**(a) SUFFOLK COUNTY COUNCIL (PARISH OF KEDINGTON FP32)  
MODIFICATION ORDER 2024**

**(b) SUFFOLK COUNTY COUNCIL (PARISH OF KEDINGTON FP33)  
MODIFICATION ORDER 2024**

Public footpaths, bridleways, restricted byways and byways open to all traffic are recorded on definitive maps and statements. These maps and statements provide conclusive legal evidence of the existence of public rights. Suffolk County Council is responsible for the definitive map and statement and has a duty to amend them when evidence suggests that they are inaccurate or incomplete. Such amendments are made by means of modification orders under section 53 of the Wildlife and Countryside Act 1981. These orders do not come into effect until confirmed, and if there are any objections the County Council must refer the order and objections to the Department of Environment, Food and Rural Affairs in Bristol.

The County Council has made modification orders under Section 53 to add footpaths as detailed in the orders. The orders simply recognise the public rights that the authority believes exist. The orders do not create any new public rights.

The evidence that has been considered may be consulted free of charge at the following locations:

**By prior appointment at the offices of the County Council, Phoenix House, Goddard Road, Ipswich, IP1 5NP:**

- Formal application with attachments dated 23 June 2021
- User evidence forms
- Thurlow Estate Highways Act 1980 section 31(6) statement and plan dated 9 April 2009 (Record ID1107), declaration dated 1 November 2010 (record ID1200), further deposit in 2015 (Record ID9262).  
<https://www.suffolkpublicrightsofway.org.uk>
- Landowner information dated 14 April 2023 from Ms T Cole of the Watermill
- Landowner information dated 18 April 2023 from the Environment Agency
- Landowner information dated 4 May 2023 from Thurlow Estate
- Email from Ms T Cole (landowner) dated 10 October 2023
- Email from Ms T Cole (landowner) dated 24 October 2023
- Email from Mr J Springer (applicant) dated 7 November 2023
- Email from Ms T Cole (landowner) dated 9 November 2023

**By prior appointment at The Hold, Suffolk Archives, 131 Fore Street, Ipswich, IP33 2AR:**

- Kedington 1979 Review material

**By prior appointment at Suffolk Archives, 77 Raingate Street, Bury St Edmunds, IP33 2AR:**

- Kedington Tithe Map and Apportionment 1842 (ref: T155/1,2)
- 1910 Finance Act, District Valuer's Map (BRO sheet 842) and reference book (ref: IL501/1/48)
- 25-inch Ordnance Survey Mapping (3 County Series Editions, sheet number 70/4)

Objections or representations relating to the orders must be made in writing by 6 March 2024 to the Definitive Map Manager, Suffolk County Council, Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP. The Rights of Way and Access Privacy Notice can be viewed at <https://www.suffolk.gov.uk/about/privacy-notice/rights-of-way-and-access-privacy-notice/> To be relevant, objections or representations should relate to the question of the existence or status of rights of way. Other objections or representations (eg relating to privacy, security or amenity) are irrelevant to the evidential test.

The County Council is willing to discuss the concerns of those considering objecting or making representations relating to the orders, and you may contact David Last at the above address, by telephone on 01473 264770 or email [david.last@suffolk.gov.uk](mailto:david.last@suffolk.gov.uk)

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

If there are no objections to the orders, or if all objections are withdrawn, the County Council will confirm the orders, and the definitive map and statement will then be modified. If there are any objections which are not withdrawn, the County Council must refer the order/s and objections to the Department of Environment, Food and Rural Affairs, who will appoint an independent Inspector to consider the order/s and hear the objections, normally by holding a public inquiry. The Inspector may confirm an order, with or without modifications, or may decide that an order should not be confirmed.

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF KEDINGTON  
IN THE DISTRICT OF WEST SUFFOLK**

**SUFFOLK COUNTY COUNCIL (PARISH OF KEDINGTON FP32)  
MODIFICATION ORDER 2024**

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 parish of Kedington in the district of West Suffolk require modification in consequence of the occurrence of an event specified in sections 53(3)(b) namely, the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

The authority has 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 January 2024.
2. The Definitive Map and Statement for the parish of Kedington in the district of West Suffolk shall be modified as described in Part 1 and Part 2 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 (Parish of Kedington FP32) Modification Order 2024.

Date: 8 January 2024

The common seal of  
SUFFOLK COUNTY COUNCIL  
was hereunto affixed  
in the presence of:

*S. Mylen Millard*

An authorised Officer of the Council





## SCHEDULE

### PART 1

#### Modification of Definitive Map

Description of footpath to be added:

There shall be added to the Definitive Map for the parish of Kedington a footpath from Ordnance Survey grid reference 57037,24691 (point E) to Ordnance Survey grid reference 57034,24662 (point F) as shown on the attached map.

### PART 2

#### Modification of Definitive Statement

Particulars of footpath to be added:

There shall be added to the Definitive Statement for Kedington the following particulars:

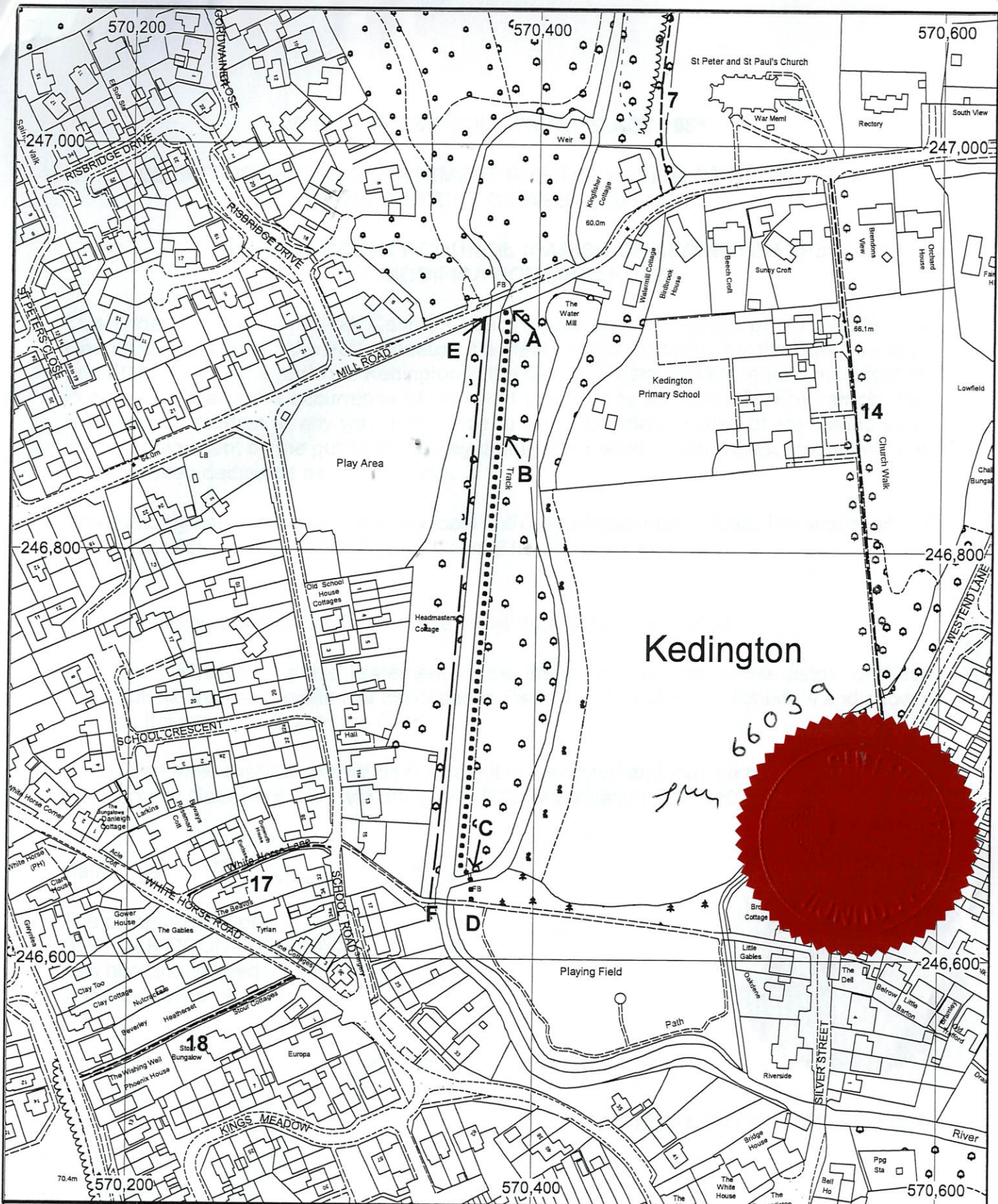
#### **Kedington Footpath 32**

Commencing at a junction with Mill Road at Ordnance Survey grid reference (OSGR) 57037,24691 (point E) and progressing in a south south-westerly direction on the west bank of The Cut for 286 metres to a junction with the maintainable pathway that links School Road and Silver Street at OSGR 57034,24662 (point F).

Width: 3 metres

Based on an average of widths stated in user evidence.





**PROPOSED FOOTPATH 32 - WEST SIDE OF THE CUT - KEDINGTON**



**Suffolk  
County Council**

- Existing Unaffected Public Footpath
- Proposed Public Footpath 32
- ..... Additional Proposed Footpath - Separate Order



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

Scale: 1:2,500 at A4

DRAWN BY: DL      DATE: 02/01/2024      File reference: .....

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**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF KEDINGTON  
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The authority has 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 January 2024.
2. The Definitive Map and Statement for the parish of Kedington in the district of West Suffolk shall be modified as described in Part 1 and Part 2 of the Schedule and shown on the map attached to the Order.
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Date: 8 January 2024

The common seal of  
SUFFOLK COUNTY COUNCIL  
was hereunto affixed  
in the presence of:

*S. Mayken-Millard*

An authorised Officer of the Council



## SCHEDULE

### PART 1

#### Modification of Definitive Map

Description of footpath to be added:

There shall be added to the Definitive Map for the parish of Kedington a footpath from Ordnance Survey grid reference 57038,24691 (point A) to Ordnance Survey grid reference 57036,24662 (point D) as shown on the attached map.

### PART 2

#### Modification of Definitive Statement

Particulars of footpath to be added:

There shall be added to the Definitive Statement for Kedington the following particulars:

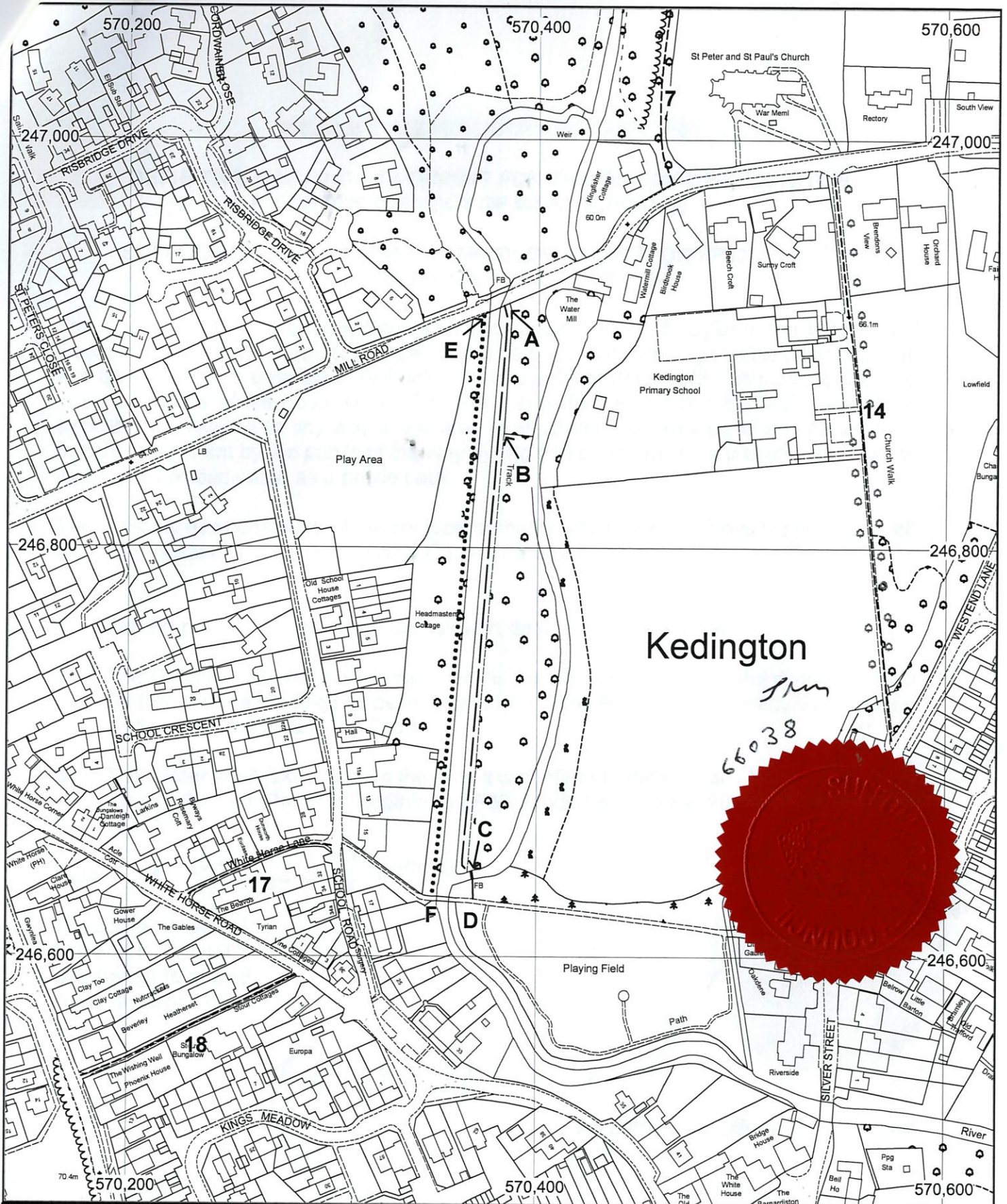
#### **Kedington Footpath 33**

Commencing at a junction with Mill Road at Ordnance Survey Grid Reference (OSGR) 57038,24691 (point A) and progressing in a south south-westerly direction on the east bank of The Cut for 275 metres; changing to a south-easterly direction and continuing for 5 metres to a footbridge at OSGR 57036,24664 (point C); changing to a south south-easterly direction and continuing across the bridge for 4 metres and then continuing for 9 metres to a junction with the maintainable pathway that links School Road and Silver Street at OSGR 57036,24662 (point D).

Width: 3 metres

Based on an average of widths stated in user evidence.





**PROPOSED FOOTPATH 33 - EAST SIDE OF THE CUT - KEDINGTON**



**Suffolk  
County Council**

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

- Existing Unaffected Public Footpath
- Proposed Public Footpath 33
- ..... Additional Proposed Footpath - Separate Order



**Scale: 1:2,500 at A4**

DRAWN BY: DL

DATE: 03/01/2024

File reference: .....

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