

NOTICE OF PUBLIC PATH ORDER

HIGHWAYS ACT 1980

EAST SUFFOLK COUNCIL (BENHALL FOOTPATH 28 (PART)) PUBLIC PATH DIVERSION ORDER 2025

The above order, made on 19 November 2025 under section 119 of the Highways Act 1980, will divert the entire width of that part of Benhall Public Footpath 28 commencing at Ordnance Survey grid reference (OSGR) TM37386029 and proceeding in a north easterly direction from Friday Street for approximately 64 metres across an agricultural field to OSGR TM37426034, to a new line running from OSGR TM37246040 approximately 176 metres from the aforementioned OSGR TM37386029 and proceeding in a south easterly direction from Friday Street for approximately 56 metres to OSGR TM37296038 and continuing in a north easterly direction for approximately 54 metres to OSGR TM37346040 and continuing in a South easterly direction for a final distance of approximately 99 metres to the aforementioned OSGR TM37426034 as shown on the order map.

A copy of the order and the order map and explanatory statement have been placed and may be seen free of charge at Saxmundham Library, Street Farm Road, Saxmundham, IP17 1AL between the hours of 09:30 and 17:30 Tuesday, 09:30 and 17:30 Wednesday, 09:30 and 17:30 Friday, 10:00 and 13:00 Saturday, and 10:00 and 15:00 Sunday. Copies of the confirmed order and map can be requested from the East Suffolk Council Rights of Way Delivery officer email: publicpathorders@eastsuffolk.gov.uk or by telephoning 01394 444508. They can also be viewed online at <http://www.eastsuffolk.gov.uk/environment/rights-of-way/>.

Any representations about or objections to the order may be sent in writing to the Rights of Way Delivery Officer, East Suffolk Council, East Suffolk House, Station Road, Melton, Woodbridge, IP12 1RT not later than **26 December 2025**. Please state the grounds on which they are made. Please note that any such correspondence cannot be treated as confidential and may be inspected by any interested party. For further information please refer to East Suffolk Council's Rights of Way Privacy Notice which can be viewed online at

<http://www.eastsuffolk.gov.uk/assets/Your-Council/Access-to-Information/Privacy-Notices/Rights-of-Way-Privacy-Notice.pdf> or contact the Data Protection Officer at: East Suffolk House, Riduna Park, Station Road, Melton, IP12 1RT, tel: 01394 444488, email: dataprotection@eastsuffolk.gov.uk

If no representations or objections are duly made, or if any so made are withdrawn, East Suffolk Council may confirm the order as an unopposed order. If the order is sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation any representations and objections which have not been withdrawn will be sent with the order.

Dated: 28 November 2025

C Bally
Chief Executive
East Suffolk Council

PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980, SECTION 119
EAST SUFFOLK COUNCIL
(BENHALL FOOTPATH NO 28(PART))
PUBLIC PATH DIVERSION ORDER 2025

This order is made by East Suffolk Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interest of the owner of the land crossed by the footpath described in paragraph 1 of the order it is expedient that the line of the footpath should be diverted.

NNB Generation Company (Sizewell C) Limited have agreed to defray any compensation which becomes payable in consequence of the coming into force of the order, and any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

Suffolk County Council has been consulted as required by section 120(2) of the 1980 Act and has consented to the making of the order.

BY THIS ORDER:

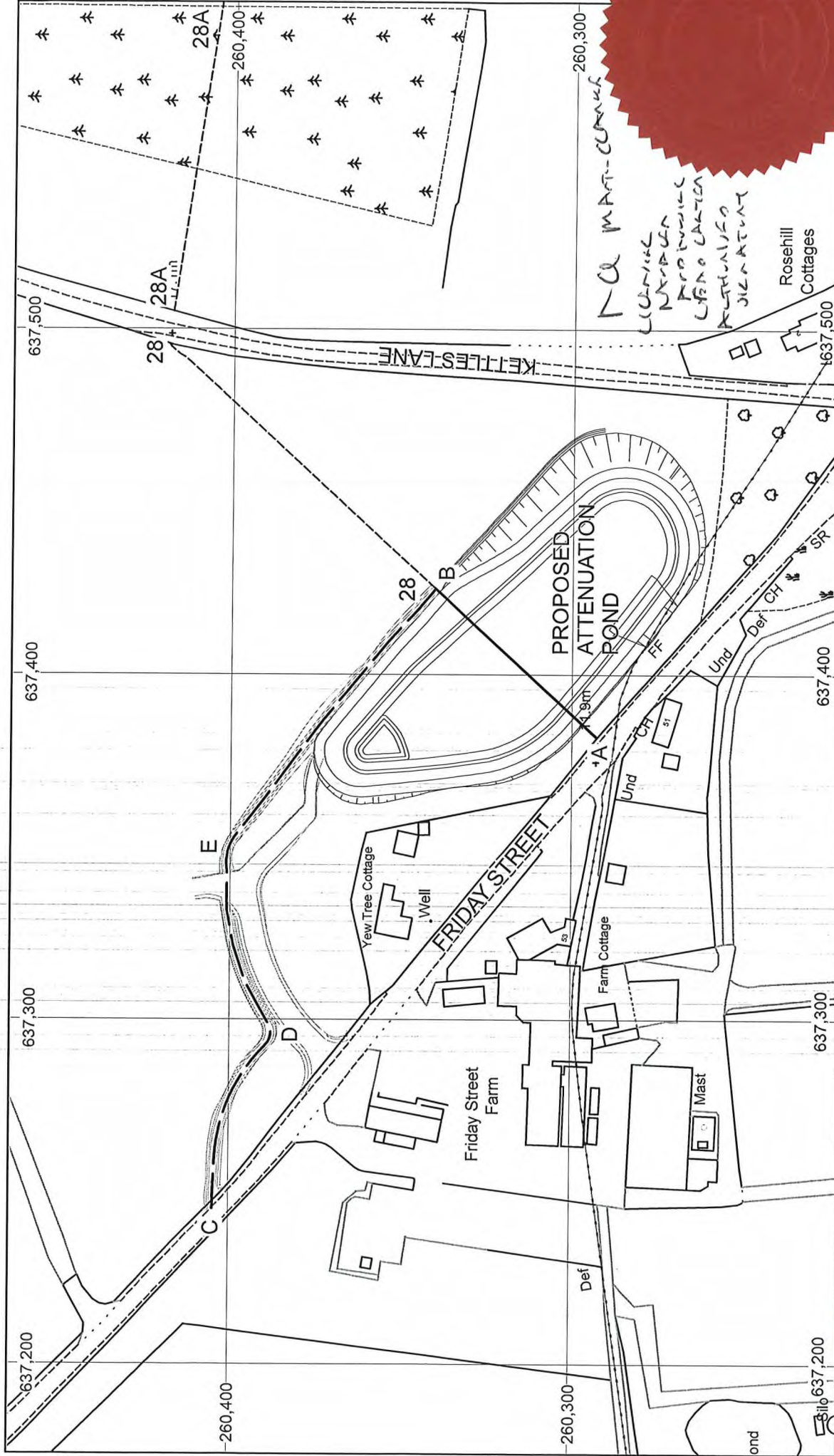
1. The public right of way over the land situated at Benhall and shown by a bold continuous line on the map contained in this order and on the Definitive Map and described in part 1 of the schedule to this order shall be stopped up with effect from the date on which Suffolk County Council certifies that the work to bring the new site of the footpath described in paragraph 2 of this order into a fit condition for use by the public has been carried out. Certification shall not take place prior to the creation of the new route described in paragraph 2 of this order.
2. There shall at the end of 72 days from the date of confirmation of this order be public footpaths over the land situated at Benhall described in part 2 of the schedule and shown by a bold broken lines on the map contained in this order.

GIVEN under the common seal of East Suffolk Council this 19th day
of November 2025

THE COMMON SEAL OF)
EAST SUFFOLK COUNCIL)
was hereunto affixed in the presence of:)

MA
Authorised Officer
MARTIN CLARKE
CLERKING MANAGER AND
BUSINESS OPERATIONS
AUTHORISED SIGNATORY





NO MARI-CORNER
 LUNNICK
 NARROW
 APPROXIMATE
 LINE OF LATERAL
 AUTHORITY
 VULNERABILITY



- Footpath to be diverted (A-B)
- Proposed Footpath (C-D-E-B)
- Unaffected Footpath
- Definitive Map Parish Boundary



Scale: 1:1,500 at A4

**MAP REFERRED TO IN THE EAST
 SUFFOLK COUNCIL (BENHALL
 FOOTPATH 28(PART)) PUBLIC PATH
 DIVERSION ORDER 2025 - HIGHWAYS
 ACT 1980 SECTION 119**

SCHEDULE

Part 1

Description of Site of Existing Path

Benhall Public Footpath 28 (part) – The entire width of that part of Benhall Public Footpath 28 commencing at point A at Ordnance Survey grid reference TM37386029 and proceeding in a north easterly direction from Friday Street for approximately 64 metres across an agricultural field to point B at Ordnance Survey grid reference TM37426034; this being the route shown between points A – B on the order map.

Part 2

Description of Site of New Path

Benhall Public Footpath 28 (part) – Commencing at point C at Ordnance Survey grid reference TM37246040 approximately 176 metres from the aforementioned point A and proceeding in a south easterly direction from Friday Street for approximately 56 metres to point D at Ordnance Survey grid reference TM37296038 and continuing in a north easterly direction for approximately 54 metres to point E at Ordnance Survey grid reference TM37346040 and continuing in a South easterly direction for a final distance of approximately 99 metres to the aforementioned point B; this being the route shown between points C – D – E – B on the order map.

Width: 2 metres

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

HIGHWAYS ACT 1980

PUBLIC PATH ORDER

Under the Highways Act 1980, county and district councils have the power to make orders to create, extinguish (close) or divert public rights of way. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

East Suffolk Council has made an order to divert part of Benhall Public Footpath No 28. This statement has been prepared to explain various aspects of the order.

The order has been made in the interests of the owners of the land crossed by the existing footpath. The applicants' reasons for requesting the diversion are summarised as follows:

Sizewell C submitted an application for a Development Consent Order (DCO) to erect a nuclear power station in May 2020. The examination of the application was conducted by the Planning Inspectorate and approved in July 2022. The DCO includes the Two Village Bypass scheme. A water basin (attenuation pond) is required to support the bypass for essential drainage purposes and is proposed to be excavated where the existing footpath is located. It is therefore in the interest of the landowner (Sizewell C) to permanently divert Footpath 28 Benhall.

The diversion of the footpath is also considered to be in the interest of the wider public. The existing path extends up to Friday Street in the west where there is no public path adjoining the highway. This means that footpath users walk directly out on to the carriageway, whereas the proposed diversion would extend on to a dedicated path adjoining the carriageway. This is considered to result in a betterment in terms of pedestrian and highway safety.

The proposed diversion is also considered to provide betterment in terms of public convenience and enjoyment. The diversion would also be more conveniently located for footpath users who are walking from the retained elements of Footpaths 28 and 28A to the Friday Street Farm Shop which is located on the western side of the carriageway.

Sizewell C also contends that the proposed diversion would have a positive effect upon public enjoyment of the route as a whole, on other land served by the existing route, and on the land where the new route is created, given the path would extend around and animate the proposed water basin, and be close to ecological features.

The proposed route will have a minimum width of two metres.

The Council is satisfied that the order complies with the legal grounds and tests laid down in the Highways Act 1980 (s119).

It considers that the proposal is in the interests of the owners of the land, that the order does not alter any termination points of the footpath other than to other points on the same path or highways connected with it and which are substantially as convenient to the public, that the proposed route will not be substantially less convenient to the public as a consequence of the diversion and that the proposal will not have an adverse effect on public enjoyment of the footpath as a whole.

The order will come into effect only after it has been confirmed: making and advertising the order simply provides an opportunity for objections or representations to be made.

Where a new path is being created (by a diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.

Objections or representations relating to the order must be made in writing by **26 December 2025** to the Rights of Way Delivery Officer, East Suffolk Council, East Suffolk House, Station Road, Melton, Woodbridge, IP12 1RT. Please state the grounds on which they are made. Please note that any such correspondence cannot be treated as confidential and may be inspected by any interested party. For further information please refer to East Suffolk Council's Rights of Way Privacy Notice which can be viewed online at Rights-of-Way-Privacy-Notice.pdf (eastsuffolk.gov.uk) or contact the Data Protection Officer at: East Suffolk House, Riduna Park, Station Road, Melton, IP12 1RT, tel: 01394 444488 email: dataprotection@eastsuffolk.gov.uk

The Council is willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact the Council's Rights of Way Delivery Officer Tel: 01394 444508 email: publicpathorders@eastsuffolk.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 any objections are made and not withdrawn then the council will have to refer the order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing, or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the Council will be able to confirm the order itself but it has no power to modify orders.

C Bally
Chief Executive
East Suffolk Council

21 November 2025