

**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.

The District Council has made an order to divert part of Eye Public Footpath 17 off Ash Drive. This statement has been prepared to explain various aspects of the order.

The application has been submitted under Section 119 of the Highways Act 1980 in the interests of the owners of the land crossed by the footpath and of the public. The applicant's statement of reasons for requesting the diversion is summarised below:

*A section of footpath 17 passes between the bungalow known as High Bank Farm and the garage belonging to the owner sited to the south of the property. Walkers on the path are close to the property and given the sloping ground are on a visual level with the bungalow's living rooms and bedrooms thus creating a level of insecurity for the current resident.*

*The footpath is narrow and slopes due to the nature of the site. Additionally there is a dangerous dog leg turn at the field corner where the path crosses a land drain. Tipping of predominantly green materials from the residents of Pine Close in past years have accentuated the slope and further narrowed the corner turn.*

*The landowner of the "Land at Ash Drive" has created a wide and level permissive path at the southern end of the site where it borders the water course. This project was carried out with the Eye Outdoors Group and in close liaison with the Environment Lead of Eye Town Council.*

*This work was undertaken by the Water Management Alliance who cleared and levelled the site and put in a land bridge over the drain on the western side of the site. The new path has been seeded with grass and has a fence which protects a new area of native hedging as advised by the local tree warden and the MSDC biodiversity lead.*

*This path enables residents and visitors to Eye a more accessible path between Lambseth Street and Ash Drive and through to Wellington Road. This serves the interests of current users providing a safer and more direct route for school students and members of the local scout group. The path is visually more attractive as it is routed alongside the edge of the water course and feels like a natural continuation of the footpath past Goode House and Dove Brook House.*

*The path forms part of the "Way of Healing" route which provides a green walking route around the western side of the town.*

*It connects with footpaths 12 and 7 which provide a walkable route from Hartismere High School and the new housing developments off Castleton Way, thus encouraging pedestrian activity*

The existing route has a legally recorded width of 1.2 metres. The proposed footpath will be 2.5 metres wide.

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

It considers that the proposal is in the interests of the owners of the land and of the public, 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 creation or 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 23 July 2026 to the Public Rights of Way Officer, Mid Suffolk District Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

The Council is willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact Katie Fookes by emailing [public.realm@baberghmidsuffolk.gov.uk](mailto:public.realm@baberghmidsuffolk.gov.uk).

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner.

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.

Sharon Bayliss  
Head of Service for Public Realm and Parking Services  
Mid Suffolk District Council

25 June 2026

## **NOTICE OF PUBLIC PATH ORDER**

### **HIGHWAYS ACT 1980**

#### **MID SUFFOLK DISTRICT COUNCIL (EYE PUBLIC FOOTPATH 17 (PART)) PUBLIC PATH DIVERSION ORDER 2026**

The above order, made on 18 June 2026 under section 119 of the Highways Act 1980 will divert the entire width of that part of Eye Public Footpath 17 running from Ordnance Survey grid reference (OSGR) TM14517409 and proceeding in a northerly direction for approximately 53 metres to OSGR TM14517414 then in an easterly direction for approximately 81 metres to OSGR TM14597414 to a line running from OSGR TM14517409 and proceeding in an easterly direction between a fence to the north and a ditch to the south with the southern edge of the footpath being offset 0.5 metres from the ditch for approximately 67 metres to join the existing footpath at OSGR TM14577409 as shown on the order map.

A copy of the order and the order map and an explanatory statement may be obtained free of charge by contacting the Public Rights of Way Assistant via email at [public.realm@baberghmidsuffolk.gov.uk](mailto:public.realm@baberghmidsuffolk.gov.uk). They can also be inspected at Eye Library, 6 Cross Street, Eye, Suffolk, IP23 7AB between the hours of 09:00 – 13:00 on Tuesday, 09:00 – 13:00 and 14:00 – 18:00 on Wednesday, 14:00 – 17:00 on Thursday, 09:00 – 13:00 and 14:00 – 17:00 on Fridays, 09:00 – 13:00 Saturdays and 10:00 – 15:00 on Sundays or viewed at <https://www.midsuffolk.gov.uk/public-rights-of-way>

Any representations about or objections to the order may be sent in writing to the Public Rights of Way Officer at the address below not later than 23 July 2026. 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 Babergh and Mid Suffolk District Council's Countryside and Public Realm Privacy Notice which can be viewed at <https://www.midsuffolk.gov.uk/w/countryside-and-public-realm-privacy-notice-1> or contact [dataprotection@baberghmidsuffolk.gov.uk](mailto:dataprotection@baberghmidsuffolk.gov.uk)

If no representations or objections are duly made, or if any so made are withdrawn, Mid Suffolk District 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: 25 June 2026

S Bayliss  
Head of Public Realm and Parking Services  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich  
IP1 2BX

## PUBLIC PATH DIVERSION ORDER

### HIGHWAYS ACT 1980

#### MID SUFFOLK DISTRICT COUNCIL (EYE PUBLIC FOOTPATH 17 (PART)) PUBLIC PATH DIVERSION ORDER 2026

This order is made by Mid Suffolk District Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owners of the land crossed by the footpath described in paragraph 1 of this order and of the public it is expedient that the line of the path should be diverted.

Mrs P Brightwell has 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 path 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 Suffolk County Council has consented to the making of the order.

#### BY THIS ORDER:

1. The public right of way over the land situate at Eye and shown by a bold continuous line on the map contained in this order 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 public footpath described in Part 2 of the Schedule to 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 as described in Paragraph 2 of this order.
2. There shall at the end of 77 days from the date of confirmation of this order be a public footpath over the land situate at Eye described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order.

GIVEN under the Common Seal of Mid Suffolk District Council this 18 day of  
JUNE 2026

THE COMMON SEAL of )  
MID SUFFOLK DISTRICT )  
COUNCIL was hereunto )  
affixed in the presence of: )



13201

Authorised Officer

A handwritten signature in black ink, appearing to be 'C. W.' or similar, written over a faint grid background.

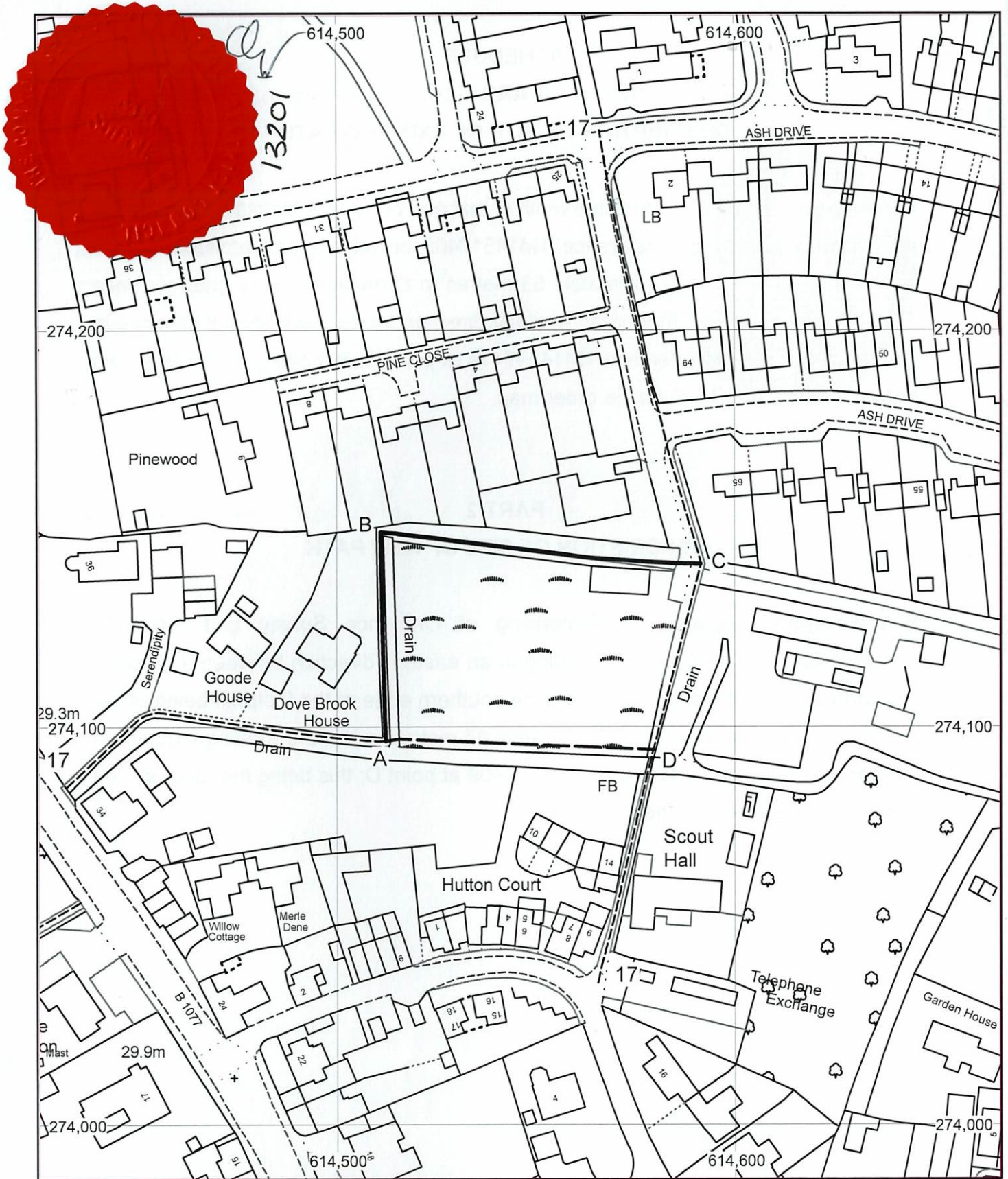
**SCHEDULE**  
**PART 1**  
**DESCRIPTION OF SITE OF EXISTING PATH**

**Eye Footpath 17(part)** – The entire width of that part of Eye Footpath 17 commencing at Ordnance Survey grid reference TM14517409 at point A and proceeding in a northerly direction for approximately 53 metres to Ordnance Survey grid reference TM14517414 at point B then in an easterly direction for approximately 81 metres to Ordnance Survey grid reference TM14597414 at point C; this being the route shown between points A – B – C on the order map.

**PART 2**  
**DESCRIPTION OF SITE OF NEW PATH**




**Eye Footpath 17(part)** - Commencing at Ordnance Survey grid reference TM14517409 at point A and proceeding in an easterly direction between a fence to the north and a ditch to the south with the southern edge of the footpath being offset 0.5 metres from the ditch for approximately 67 metres to join the existing footpath at Ordnance Survey grid reference TM14577409 at point D; this being the route shown between points A – D on the order map

Width: 2.5 metres



**MAP REFERRED TO IN THE MID SUFFOLK DISTRICT COUNCIL (EYE PUBLIC FOOTPATH 17(PART)) PUBLIC PATH DIVERSION ORDER 2026 - HIGHWAYS ACT 1980 SECTION 119**



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



Scale: 1:1,250 at A4