

NOTICE OF PUBLIC PATH ORDER
HIGHWAYS ACT 1980
EAST SUFFOLK COUNCIL
(BADINGHAM FOOTPATH NO 15(PART))
PUBLIC PATH DIVERSION ORDER 2023

The above order, made on 6 March 2023 under section 119 of the Highways Act 1980, will divert the entire width of that part of Badingham Public Footpath No 15 commencing at Ordnance Survey grid reference (OSGR) TM31436882 and proceeding in an easterly direction for approximately 162 metres from Twin Oak Drive to OSGR TM31596882; then in a south easterly direction for 242 metres to OSGR TM31736863 and then for 53 metres in an east north easterly direction to rejoin the existing path at OSGR TM31786864 to a new line commencing from OSGR TM31436882 at Twin Oak Drive and proceeding in a north easterly direction along the northwestern side of the new field boundary as a headland path for approximately 118 metres to OSGR TM31536889, then in a southeasterly direction for approximately 66 metres as a headland path to OSGR TM31586884, then in a south easterly direction as a crossfield path for 291 metres to rejoin the existing route at OSGR TM31786864 as shown on the order map.

A copy of the order and the order map and an explanatory statement have been placed and may be seen free of charge at Framlingham Library, The Old Court House, Bridge Street, Framlingham, IP13 9AJ between the hours of 09:30 and 12:30 on Monday, and 09:30 to 17:30 on Tuesday, Thursday and Friday, 09:30 to 17:00 on Saturday and 11:00 to 15:00 on Sunday. Copies can be requested by telephoning the Rights of Way Officer at East Suffolk Council on 01394 444508 or by email to rightsofway@eastsuffolk.gov.uk 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 Officer, East Suffolk Council, Riverside, 4 Canning Road, Lowestoft, NR33 0EQ or emailed to rightsofway@eastsuffolk.gov.uk not later than 7 April 2023. 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

If no such 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.

P Ridley
Head of Planning and Coastal Management
East Suffolk Council
10 March 2023

PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980
EAST SUFFOLK COUNCIL
(BADINGHAM FOOTPATH NO 15 (PART))
PUBLIC PATH DIVERSION ORDER 2023

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 interests of the owners of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

Mrs A C C Green and Mr M W Curtis Green of Red House Farm, Badingham have agreed to defray any compensation which becomes payable in consequence of the coming into force of this 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 situate at Badingham 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 new site of the 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 before described.

2. There shall at the end of 84 days from the date of confirmation of this order be a public footpath over the land situate at Badingham described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order.



THE COMMON SEAL of the said
EAST SUFFOLK COUNCIL

976

was hereunto affixed this 6TH day of MARCH 2023

in the presence of:-

Authorised Officer:

SCHEDULE

PART 1

Description of Site of Existing Path

Badingham Public Footpath No 15(part) – The entire width of that part of Badingham Public Footpath No 15 commencing at Ordnance Survey grid reference TM31436882 at point A and proceeding in an easterly direction for approximately 162 metres from Twin Oak Drive to Ordnance Survey grid reference TM31596882 at point B; then in a south easterly direction for 242 metres to Ordnance Survey grid reference TM31736863 at point C and then for 53 metres in an east north easterly direction to Ordnance Survey grid reference TM31786864 at point D; this being the route shown between points A - B - C - D on the order map.

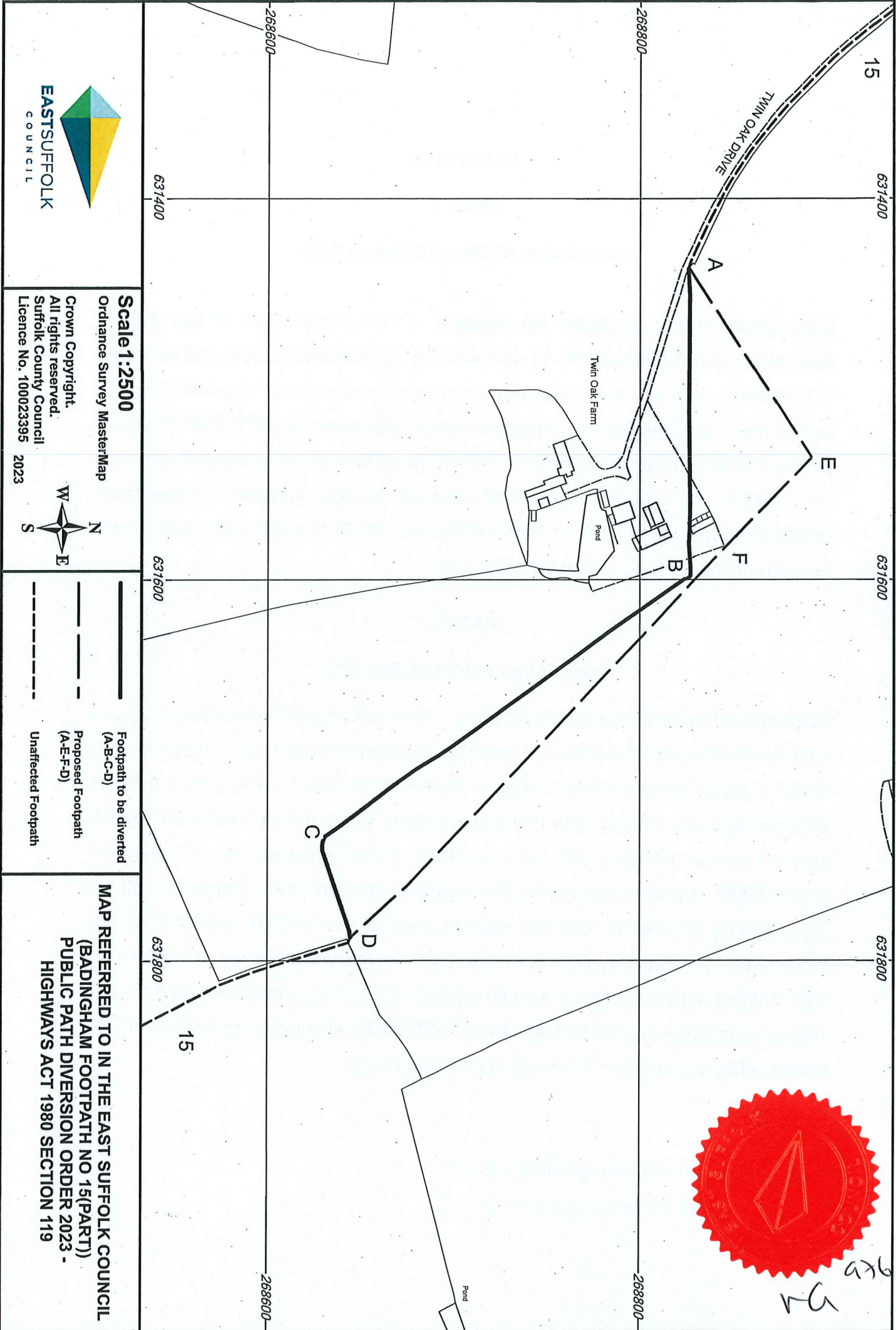
PART 2

Description of Site of New Path

Badingham Public Footpath No 15(part) – Commencing at Ordnance Survey grid reference TM31436882 at point A at Twin Oak Drive and proceeding in a north easterly direction along the northwestern side of the field boundary as a headland path for approximately 118 metres, with the southern edge of the footpath commencing 0.5 metres from the boundary with Twin Oak Barn, to Ordnance Survey grid reference TM31536889 at point E, then in a south easterly direction as a headland path for approximately 66 metres, with the western edge of the footpath commencing 0.5 metres from the boundary with Twin Oak Barn, to Ordnance Survey grid reference TM31586884 at point F, then in a south easterly direction as a crossfield path for 287 metres to Ordnance Survey grid reference TM31786864 at point D; this being the route shown between points A – E – F – D on the order map.

Width: 2.5 metres between points A – E – F

1.5 metres between points F – D



Scale 1:2500
Ordnance Survey MasterMap
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2023



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

**MAP REFERRED TO IN THE EAST SUFFOLK COUNCIL
(BADINGHAM FOOTPATH NO 15(PART))
PUBLIC PATH DIVERSION ORDER 2023 -
HIGHWAYS ACT 1980 SECTION 119**

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 Badingham Public Footpath No 15. 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: the path crosses farmland (including land for which change of use partly to paddock for the use of horses and partly to residential garden, has been granted) and a farmyard (for which the conversion and extension of existing agricultural barns to form a single dwelling has been granted). The existing route is obstructed by a building in the farmyard and would pass through land that will become the garden of the dwelling thus impacting on privacy for the occupiers. The existing route also crosses an arable field in three directions whereas the proposed route will run along a new field headland with a planted tree belt to the east and then use a more direct, shorter crossfield route, making agricultural operations easier.

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 crossed by the footpath, that the order does not alter any termination point of the footpath, 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 7 April 2023 to Mrs N Biddall, Rights of Way Officer, East Suffolk Council, Riverside, 4 Canning Road, Lowestoft, Suffolk, NR33 0EQ. 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 Officer Tel: 01394 444508 email: rightsofway@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.

P Ridley
Head of Planning and Coastal Management
East Suffolk Council

10 March 2023