

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

**DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF MELFORD IN  
THE FORMER ADMINISTRATIVE COUNTY OF WEST SUFFOLK**

**SUFFOLK COUNTY COUNCIL (PARISH OF GREAT CORNARD)  
MODIFICATION ORDER 2021**

The above order made on 22 December 2021 if confirmed as made, will modify the definitive map and statement for the area by adding a restricted byway from the junction with the U8625 Joe's Road/Prospect Hill at Ordnance Survey Grid Reference (OSGR) 59001,23959, progressing in a north-westerly direction for 523 metres and terminating at a junction with footpaths 13 and 17 at OSGR 58966, 23993 as shown on the order map.

Due to the Covid-19 pandemic a copy of the order and the order map and an explanatory statement may be obtained by email or post free of charge by contacting David Last on tel: 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/definitive-map-and-statement/>

Any representation or objection relating to the order must be sent in writing to the Definitive Map Manager, Rights of Way and Access, Suffolk Highways, Phoenix House, 3 Goddard Road, Ipswich IP1 5NP. Objections should be received not later than 23 February 2022, 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If no representations or objections are duly made to the order, or to any part of it, or if any so made are withdrawn, Suffolk County Council, instead of submitting the order to the Secretary of State (or part of it if the authority has by notice to the Secretary of State so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 the 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Food and Rural Affairs in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.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: 12 January 2022



Signature of Nigel Inniss  
Head of Legal Services  
Constantine House  
5 Constantine Road  
Ipswich, IP1 2DH

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

**WILDLIFE AND COUNTRYSIDE ACT 1981  
DEFINITIVE MAP MODIFICATION ORDER**

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 a modification order under Section 53 to add a public footpath as detailed in the order. This order simply recognises the public rights that the authority believes exist. The order does not create any new public rights.

The evidence which the County Council has considered may be consulted free of charge at the following locations:

By prior appointment at the Suffolk Record Office, 77 Raingate St, Bury St Edmunds:

- Great Cornard Inclosure Map and Award 1813 (BRO ref: FL514/1/12 and E5/9/4.04 or 2844 and Q/RI40).
- Great Cornard Tithe Map and Apportionment 1840 (BRO ref: T141/2)
- Bryant's Map 1824/5
- Greenwood's Map 1825
- 1910 Finance Act – District Valuers Map (BRO Sheet 959)
- 25 inch Ordnance Survey Mapping (3 County Series Editions)

By prior appointment at the offices of Suffolk County Council, Phoenix House, Goddard Road, Ipswich:

- Formal application with attachments dated 5 June 2020
- User evidence forms
- Email from Parish Council dated 2 August 2021
- Email from Councillor Beer dated 5 August 2021
- Mr A J Suckling Landowner information form dated 6 March 2021
- Mr William Wilson land occupier statement dated 6 March 2021
- Mr C Fisher Landowner letter dated 8 March 2021
- Mr Jeremy Apter Landowner information form dated 13 March 2021
- Mrs Barker-Knott Landowner information form dated 12 March 2021
- Mrs Barker Knott email regarding wildlife dated 12 April 2021
- Mrs Barker-Knott email and photos regarding overgrowth dated 9 June 2021
- Mrs Barker-Knott email comments on draft report 10 September 2021

Objections or representations relating to the order must be made in writing by 23 February 2022 to the Definitive Map Manager, Suffolk Highways, 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 of 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 order, and you may contact David Last by email: [david.last@suffolk.gov.uk](mailto:david.last@suffolk.gov.uk) or by telephone on 01473 264770.

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 order, or if all objections are withdrawn, the County Council will confirm the order, 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 and objections to the Department of Environment, Food and Rural Affairs (DEFRA). DEFRA will appoint an independent Inspector to consider the order and hear the objections, normally by holding a public inquiry. The Inspector may confirm the order, with or without modifications, or may decide that the order should not be confirmed.

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF  
MELFORD**

**IN THE FORMER ADMINISTRATIVE COUNTY OF WEST SUFFOLK**

**SUFFOLK COUNTY COUNCIL**

**(PARISH OF GREAT CORNARD) MODIFICATION ORDER 2021**

This Order is made by Suffolk County Council (the "Authority") 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 former Rural District of Melford in the former Administrative County of West Suffolk require modification in consequence of the occurrence of events specified in sections 53(3)(b) and 53(3)(c)(i) namely, the expiration, in relation to a restricted byway in the area to which the map relates, of a period such that the enjoyment by the public of the restricted byway during that period raises a presumption that the restricted byway has been dedicated as a public right of way, and the discovery by the Authority of evidence which shows that a restricted byway, which is not shown in the map and statement subsists or is reasonably alleged to subsist.

The Authority has consulted with every local authority whose area includes the land to which the Order relates. The Suffolk County Council hereby orders that:

1. For the purpose of this Order the relevant date is 1 November 2021.
2. The Definitive Map and Statement for the former Rural District of Melford in the former Administrative County 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 (Melford Rural District Definitive Map and Statement) (Parish of Great Cornard) Modification Order 2021.

Date: *22 December 2021*

The common seal of  
SUFFOLK COUNTY COUNCIL  
Was hereunto affixed

In the presence of *Anna Mulholland*

An authorised Officer of the Council



## **SCHEDULE**

### **Part 1: Modification of Definitive Map**

Description of restricted byway to be added:

There shall be added to the Definitive Map for the former Rural District of Melford in the parish of Great Cornard a restricted byway from Ordnance Survey grid reference (OSGR) 59001,23959 (point A) to OSGR 58966,23993 (point C) as shown on the attached map.

### **Part 2: Modification of Definitive Statement**

Particulars of restricted byway to be added:

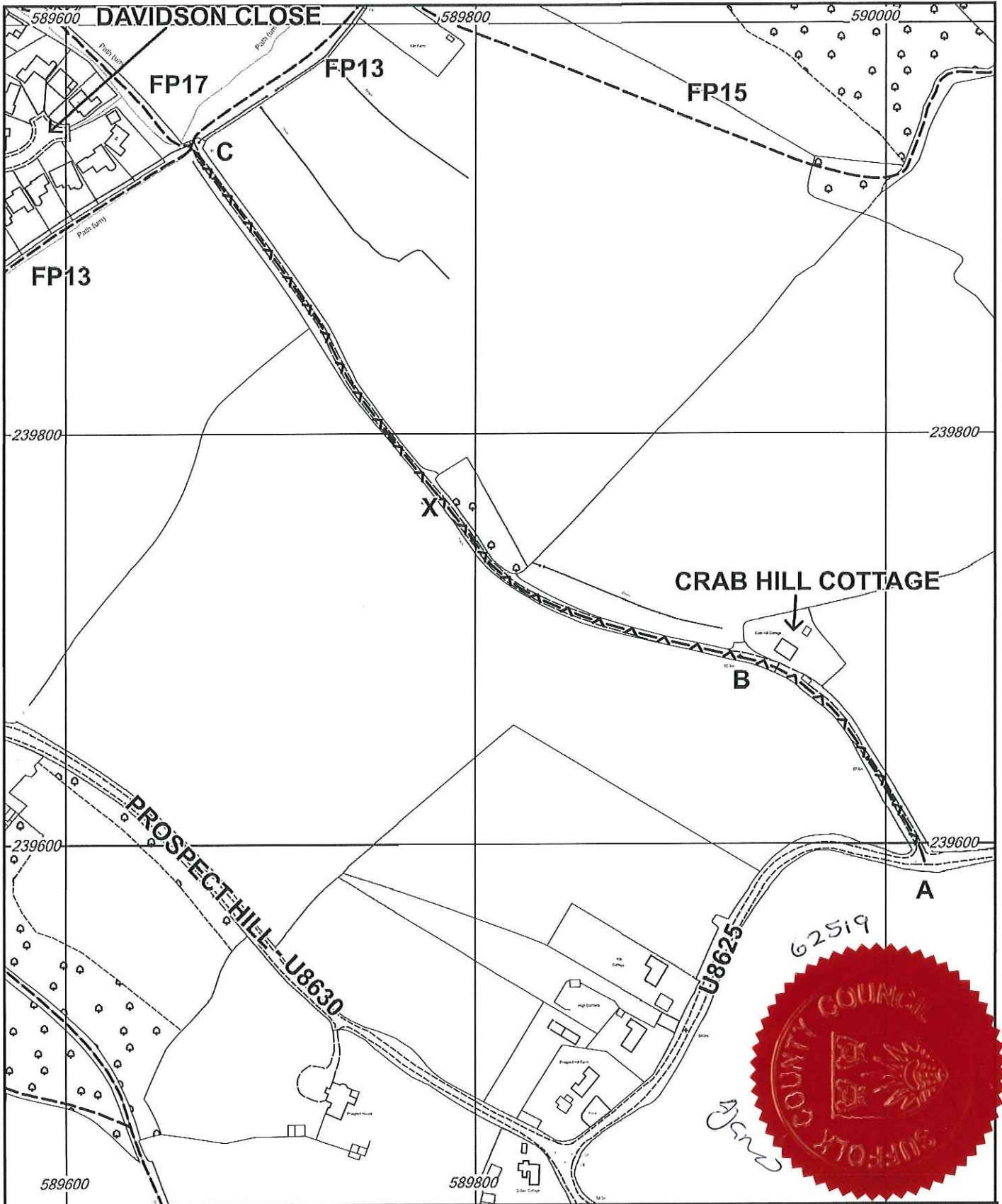
There shall be added to the Definitive Statement for the former Rural District of Melford in the parish of Great Cornard the following particulars:

#### Great Cornard restricted byway 28

Commencing at a junction with the U8625 Joe's Road/Prospect Hill at Ordnance Survey Grid Reference (OSGR) 59001,23959 (point A) and progressing in a generally north-westerly direction for 523 metres and terminating at a junction with footpaths 13 and 17 at OSGR 58966,23993 (point C).

Width: Varying between a minimum of 3 metres and a maximum of 4 metres.

NB. Based on user evidence and historical depiction.



## Proposed Great Cornard Restricted Byway 28



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

- Existing Public Footpath
- Proposed Restricted Byway

Ordnance Survey MasterMap

Crown Copyright. All rights reserved.  
 Suffolk County Council Licence No. 100023395 2021

Scale 1:2500



Filed at: