

SUFFOLK COUNTY COUNCIL

NOTICE OF A CREATION AGREEMENT FOR FOOTPATHS AT GREAT BARTON AND PAKENHAM

Suffolk County Council has made an Agreement under section 25 of the Highways Act 1980. The Agreement has the effect of creating public footpaths at Great Barton and Pakenham, as detailed below.

A copy of the Agreement and maps may viewed at: [Making changes to the definitive map and statement - Suffolk County Council](#)

Under Section 25 of the Highways Act 1980 there is no right of objection to the Agreement, which has already come into effect.

Date: 28 April 2023



NIGEL INNISS

Head of Legal Services
Suffolk County Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

SCHEDULE

Pakenham FP21 – From the C689 Pakenham Road south on a track for approximately 350 metres then west through a hedge and tree belt and continuing generally west for approximately 340 metres through another hedge and tree belt, then changing to a southerly direction following the field boundary and then southwest to join Great Barton FP22 at the parish boundary.

Great Barton FP22 – From its junction with Pakenham FP21 at the parish boundary and following the field boundary firstly in a south westerly direction and then northwest then changing to a south westerly direction passing through a hedge to join the C691 Thurston Road.

SUFFOLK COUNTY COUNCIL

HIGHWAYS ACT 1980

PUBLIC PATH CREATION AGREEMENT

BETWEEN

MADELINE TILDSLEY

AND

SUFFOLK COUNTY COUNCIL

This Public Path Agreement is made the 19th day of April two thousand and twenty two between **SUFFOLK COUNTY COUNCIL** of Endeavour House 8 Russell Road Ipswich IP1 2BX ('the Council') of the first part and **MADELINE TILDSLEY** of Barton Court, School Lane, Great Barton, Bury St Edmunds, Suffolk, IP31 2RQ of the second part ('the Owner')

WHEREAS

1. The Owner is registered as proprietor with absolute freehold title at HM Land Registry under the title numbers SK63976 and SK112692 of the land in the parishes of Great Barton and Pakenham shown edged red on Map 1 annexed hereto ('the Red Land').
2. The Owner intends to dedicate to the public a right of way as a footpath across the Red Land and such right of way is described in the Schedule hereto and is shown for the purposes of identification only on Map 2 annexed hereto by a black dashed line.
3. West Suffolk Council has been consulted pursuant to Section 25(3) of the Highways Act 1980 ('the Act').

NOW IT IS HEREBY AGREED

1. In consideration of the execution of the agreement and the provisions hereinafter contained and pursuant to Section 25 of the Highways Act 1980 but subject to the provisions of clause 2 the Owner hereby dedicates for use by the public for the purpose of a footpath all that strip of land shown by a black dashed line on Map 2 annexed hereto and running over the Red Land and described in the Schedule to this Agreement to the intent that the aforesaid strip of land shall thereafter be enjoyed by the public as a footpath.

Highways Act 1980 Section 25 – Creation Agreement

CERTIFICATE OF WORKS

This document specifies the work that Suffolk County Council (SCC) considers necessary to make the new path fit for use by the public.

By signing this certificate, the landowner agrees to the completion of such works by SCC or its authorised contractors on their land.

The County Council's responsibilities

The County Council will undertake the works and will take on the future maintenance of the route as appropriate for public use. The County Council will certify the work as complete.

Description of the Work Required - Please refer to the attached map for location of work.

Signposts and waymark posts

Waymark posts will be erected to provide guidance to users at 2 locations, between points H & J, and between points D & E, as shown on the map.

Fingerposts will be erected where the route leaves the metalled road at points A and O.

Preparing the surface of the path

The path surface must be level, firm, easy to use and free from any obstruction to the width as stated in the Agreement.

SCC will undertake the clearance of vegetation following consultation with the landowner.

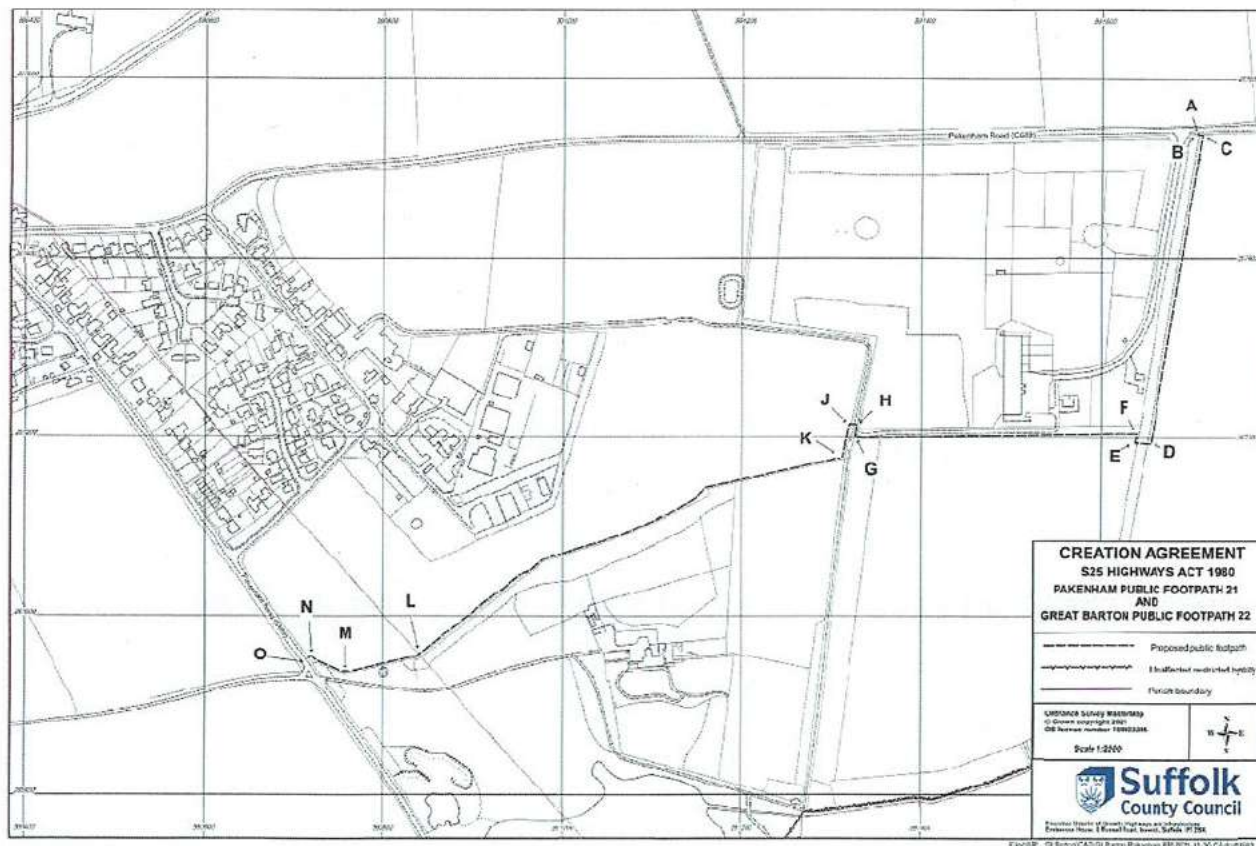
This relates to 4 locations on the map (between points A, B & C; between points D & E; between points H & J; and at point O).

SCC are to organise and undertake the levelling of the surface to a satisfactory surface between points A and B.

The Landowner is required to maintain the surface in its current state.

Note – It is the landowners' responsibility to keep any hedges and vegetation trimmed back, to avoid obstructing the width of the Footpath.

Map



Signatures

ROW Officer on behalf of SCC

Signed:



Date: 26/01/2022

Name & Job Title: James Pickerin – Area Rights of Way Officer

Tel: 01284 741352

Email: james.pickerin@suffolk.gov.uk

Landowner

Signed: X



Name/s:

Date:

Please date
22.1.22

Tel:

Email:

2. The Council shall undertake all works required to bring the dedicated footpath into a fit state for use by the public as set out in the attached works certificate. The path shall be dedicated as a highway maintainable at public expense when all the works in the said certificate are complete as certified by the Council and this Agreement shall be sufficient evidence of such intention.
3. The Owner hereby grants licence to the Council and its authorised agents or contractors to enter so much of the Red Land as far as may be reasonably necessary with such tools, equipment and vehicles as may be required, to undertake the works in the said certificate referred to clause 2. Any damage caused to the Red Land as a consequence of such work to be made good to the Owner's reasonable satisfaction as soon as practically possible.

IN WITNESS whereof the hands of the parties hereto have executed this Agreement as their deed the day and year first before written

THE COMMON SEAL of
SUFFOLK COUNTY COUNCIL
was hereunto affixed in the
presence of:

)
)
)
)

AJH

Anna Mulholland

An authorised officer of the Council



65314

EXECUTED as a deed by
MADELINE TILDSLEY



W
I
T
N
E
S
S
in the presence of:

Signature

)



Name

)

J. A. BINK

Address

)

Cable End Cottages, Shimpling IP25 4HS

Occupation

)

Farm Administrator

SCHEDULE

Pakenham FP21

Commencing at the junction with the C689 Pakenham Road at Ordnance Survey grid reference (OSGR) 59170,26754 (point A) and progressing south for 4 metres and passing through a 1.5 metre wide gap on the western side of a set of double field gates to OSGR 59170,26753 (point B); then in an easterly direction for approximately 5 metres onto a track immediately to the south of the field gates at OSGR 59171,26753 (point C); continuing in a generally southerly direction on the track for approximately 350 metres to OSGR 59165,26719 (point D); changing to a westerly direction passing through a hedge and tree belt for approximately 18 metres to OSGR 59163,26719 (point E) then turning north for approximately 11 metres to OSGR 59163,26720 (point F); continuing in a westerly direction on a field edge to the south of a track for approximately 312 metres to OSGR 59732, 26719 (point G); changing to a northerly direction on a track for approximately 15 metres to OSGR 59132,26721 (point H); then in a westerly direction passing through a hedge and tree belt for approximately 9 metres to OSGR 59131, 26721 (point J); changing to a southerly direction following the field edge for approximately 39 metres to OSGR 59131,26717 (point K); changing to a south westerly direction mainly following the field boundary for approximately 532 metres to join Great Barton FP22 at the parish boundary at OSGR 59084,26695 (point L)

Width:

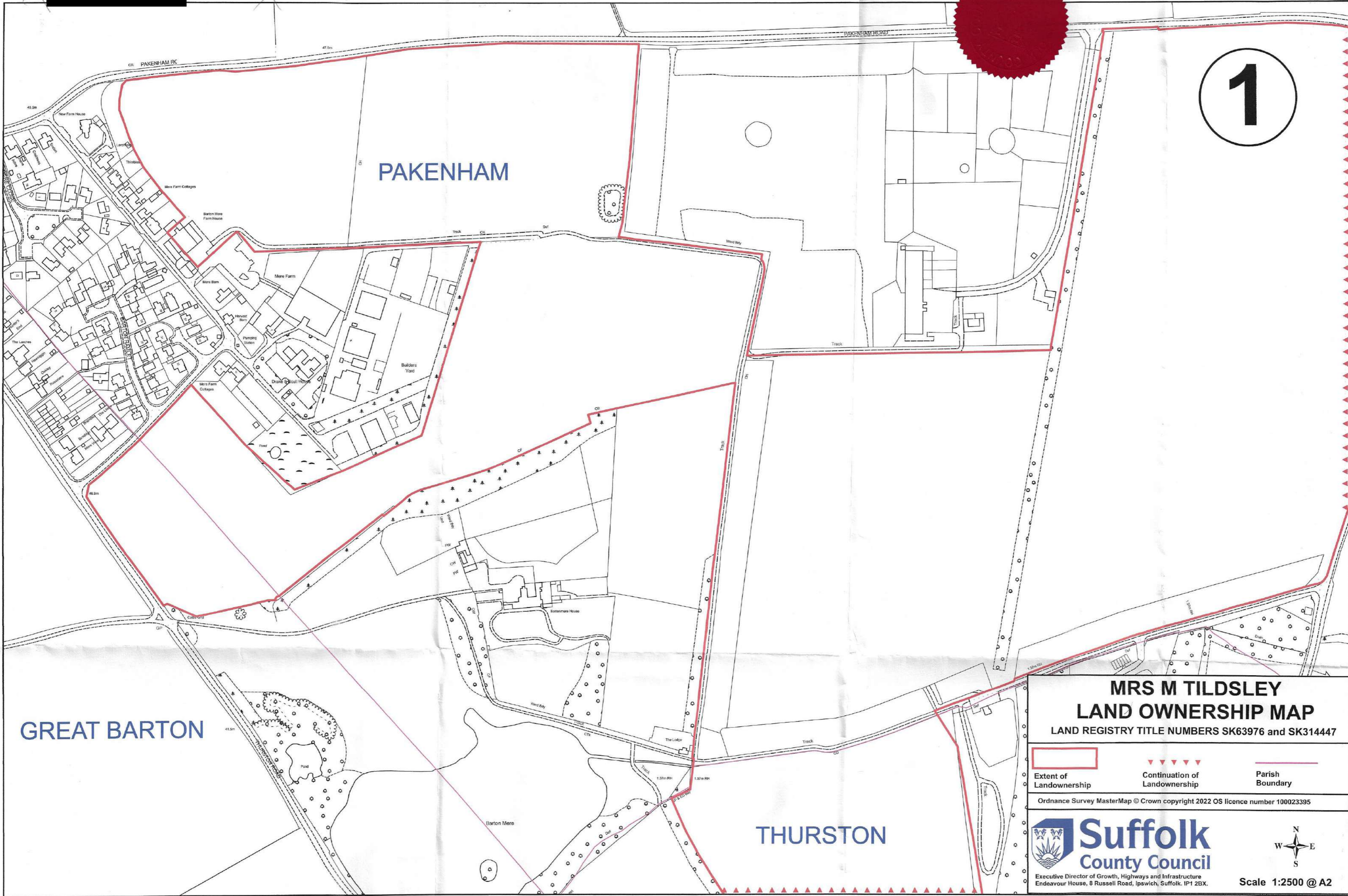
1.5 metres except: -

5 metres between OSGR 59171,26753 and OSGR 59165,26719 on a track (points C-D), and OSGR 59732, 26719 and OSGR 59132,26721 on a track (points G-H)

Great Barton FP22

Commencing at its junction with Pakenham FP21 on the parish boundary at OSGR 59084,26695 (point L) and progressing in a south westerly direction following the field boundary for approximately 88 metres to OSGR 59075,26693 (point M); then in a north westerly direction for approximately 42 metres to OSGR 59071,26695 (point N); then in a south westerly direction through a 1.5 metre wide gap in the field boundary hedge for approximately 5.5 metres to the C691 Thurston Road at OSGR 59071,26695 (point O).

Width 1.5 metres



MRS M TILDSLEY
LAND OWNERSHIP MAP
LAND REGISTRY TITLE NUMBERS SK63976 and SK314447

Extent of Landownership
Continuation of Landownership
Parish Boundary

Ordnance Survey MasterMap © Crown copyright 2022 OS licence number 100023395

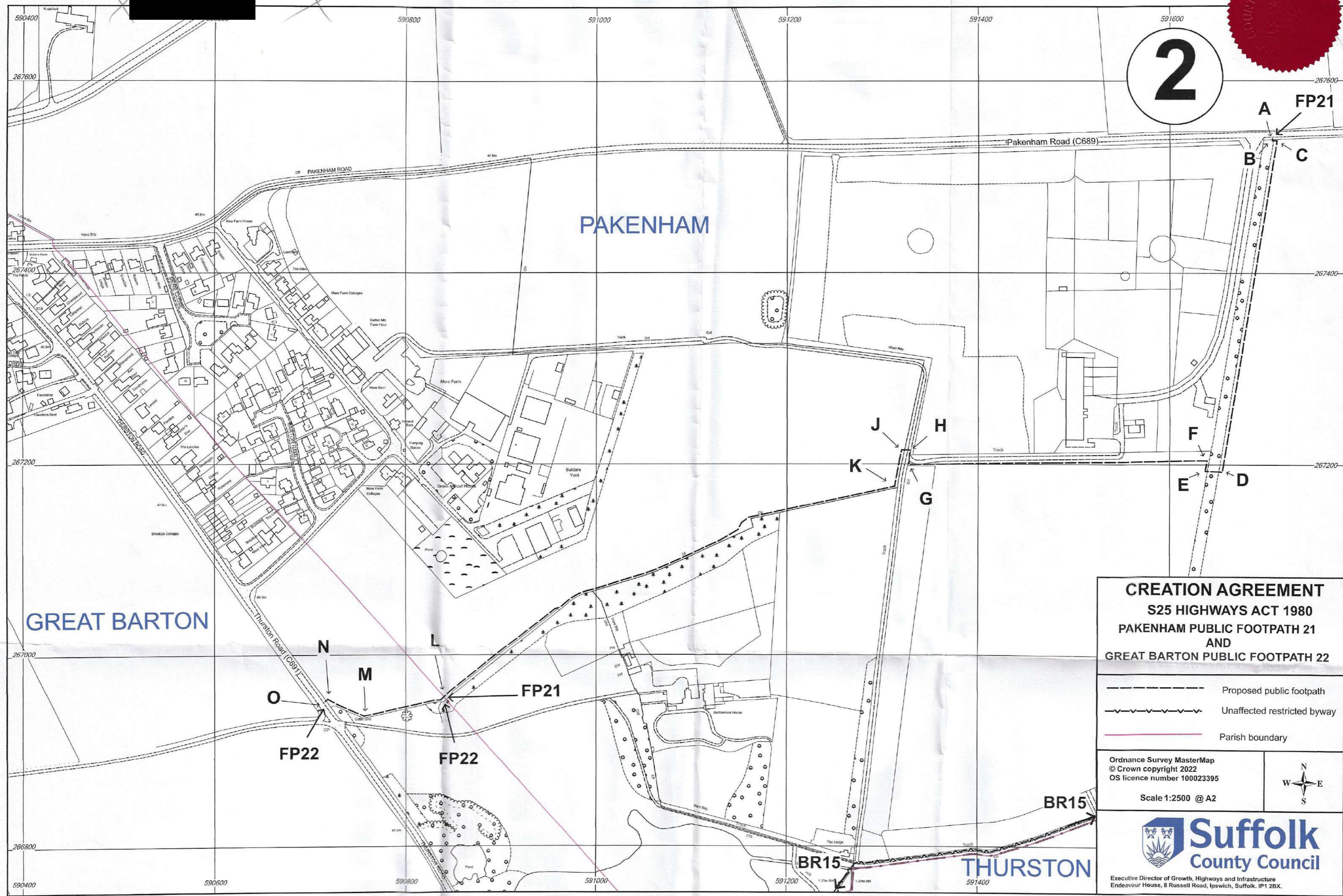
Suffolk
County Council

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

Scale 1:2500 @ A2

NEW
COUNTY COUNCIL
65314

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CREATION AGREEMENT
S25 HIGHWAYS ACT 1980
PAKENHAM PUBLIC FOOTPATH 21
AND
GREAT BARTON PUBLIC FOOTPATH 22

- Proposed public footpath
- - - - - Unaffected restricted byway
- Parish boundary

Ordnance Survey MasterMap
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Scale 1:2500 @ A2



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