

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

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**SUFFOLK COUNTY COUNCIL  
(PARISH OF MILDENHALL) MODIFICATION ORDER 2025**

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 restricted byway 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 offices of the County Council, Phoenix House, Goddard Road, Ipswich, IP1 5NP:**

- Formal Application dated 16 December 2021
- User evidence forms
- Letter from West Row Village Hall Foundation dated 20 March 2021
- Hodkinson's Map 1783
- Bryant's Map 1824/5
- Greenwood's Map 1825
- 1979 Review Material
- Ordnance Survey Old Series Map 1836
- Ancient Parish of Mildenhall Charities Landowner Information form dated 4 October 2024
- Letter from R. A. Alecock, Ancient Parish of Mildenhall Charities dated 2 October 2024
- Karen Gallagher, secretary of the West Row Village Hall Foundation Landowner Information form dated 28 August 2024
- Email dated 26 October 2024 from Michael Peachey
- Email dated 29 October 2024 from Sharon Vale, clerk of West Row Parish Council
- Email dated 31 October 2024 from Vincent Coomber, clerk of Ancient Parish of Mildenhall Charities
- Email dated 17 July 2024 from Michael Peachey to Caroline Baylis at the Planning Inspectorate

- Photographs taken on 17 September 2024 and 20 November 2024 by officers during site visit

**By prior appointment at The Hold, Suffolk Archives, 131 Fore Street, Ipswich, IP33 2AR:**

- Mildenhall Inclosure Map and Award 1810 (IRO ref: Q/RI/20A & Q/RI/24)
- Hodskinson's Map 1783
- Bryant's Map 1824/5
- Greenwood's Map 1825
- Mildenhall Tithe Map and Apportionment 1838 (IRO ref: T97/1,2)
- Finance Act 1910 – District Valuer's Maps and accompanying schedules (IRO ref: 20/206)
- 6-inch Ordnance Survey Mapping (1st Edition 1886, Suffolk Sheet XX.SE and 2nd Edition 1903, Cambridgeshire Sheet XXXI.SE)
- 25-inch Ordnance Survey Mapping (2nd Edition 1903, Cambridgeshire Sheet XXXI.11)
- 6-inch Ordnance Survey Map (1953, Cambridgeshire Sheet XXXI.SE)
- 6-inch Ordnance Survey National Grid map (1959, Sheet TL67NE - A)
- Mildenhall Parish Survey Map 1951 (IRO ref: 518/81)

Objections or representations relating to the order must be made in writing by 11 April 2025 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 or 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 Lisa Hammarstrom by email: [lisa.hammarstrom@suffolk.gov.uk](mailto:lisa.hammarstrom@suffolk.gov.uk) by telephone: 01473 260177, or at the above address.

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, who 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.

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

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF MILDENHALL IN THE DISTRICT  
OF WEST SUFFOLK**

**SUFFOLK COUNTY COUNCIL  
(PARISH OF MILDENHALL) MODIFICATION ORDER 2025**

The above order made on 20 January 2025 if confirmed as made, will modify the definitive map and statement for the area by adding a restricted byway from Friday Street at Ordnance Survey Grid Reference (OSGR) 56739,27577 to the West Row Village Hall carpark at OSGR 56724,27579 as shown on the order map.

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 Lisa Hammarstrom on tel: 01473 260177 or email: [lisa.hammarstrom@suffolk.gov.uk](mailto:lisa.hammarstrom@suffolk.gov.uk). They can also be viewed at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/making-changes-to-the-definitive-map-and-statement> or inspected at Mildenhall Library, Mildenhall Hub, Sheldrick Way, Mildenhall IP28 7JX. Opening times: Monday to Friday 9.00am until 5.30pm, Saturday 9.00am until 5.00pm and Sunday 10.00am until 4.00pm.

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 11 April 2025, 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: 28 February 2025



**Nigel Inniss**

Head of Governance, Suffolk County Council,  
Endeavour House, 8 Russell Road, Ipswich, IP1 1BX



WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF MILDENHALL  
IN THE DISTRICT OF WEST SUFFOLK

SUFFOLK COUNTY COUNCIL (PARISH OF MILDENHALL)  
MODIFICATION ORDER 2025

This Order is made by Suffolk County Council 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 parish of Mildenhall in the District of West Suffolk require modification in consequence of the occurrence of an event specified in section 53(3)(b) namely, the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

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

1. For the purpose of this Order the relevant date is 1 January 2025.
2. The Definitive Map and Statement for the parish of Mildenhall in the District 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 (Parish of Mildenhall) Modification Order 2025.

Date:

20<sup>th</sup> January 2025

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



*A. M. G. Miller*

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 parish of Mildenhall a restricted byway from a point at Ordnance Survey grid reference 56739,27577 (point A) to a point at Ordnance Survey grid reference 56724,27579 (point B) 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 Mildenhall the following particulars:

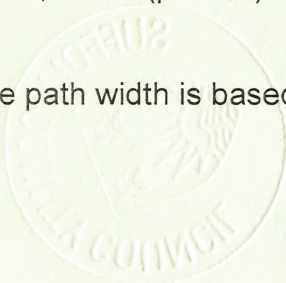
#### **Mildenhall Restricted Byway 64**

Commencing at a junction with the C603 road (Friday Street) at Ordnance Survey Grid Reference (OSGR) 56739,27577 (point A) and progressing in a generally westerly direction along a track for approximately 152 metres and terminating at a gap between a hedge and a chain link fence at OSGR 56724,27579 (point B) at the edge of the West Row village hall carpark.

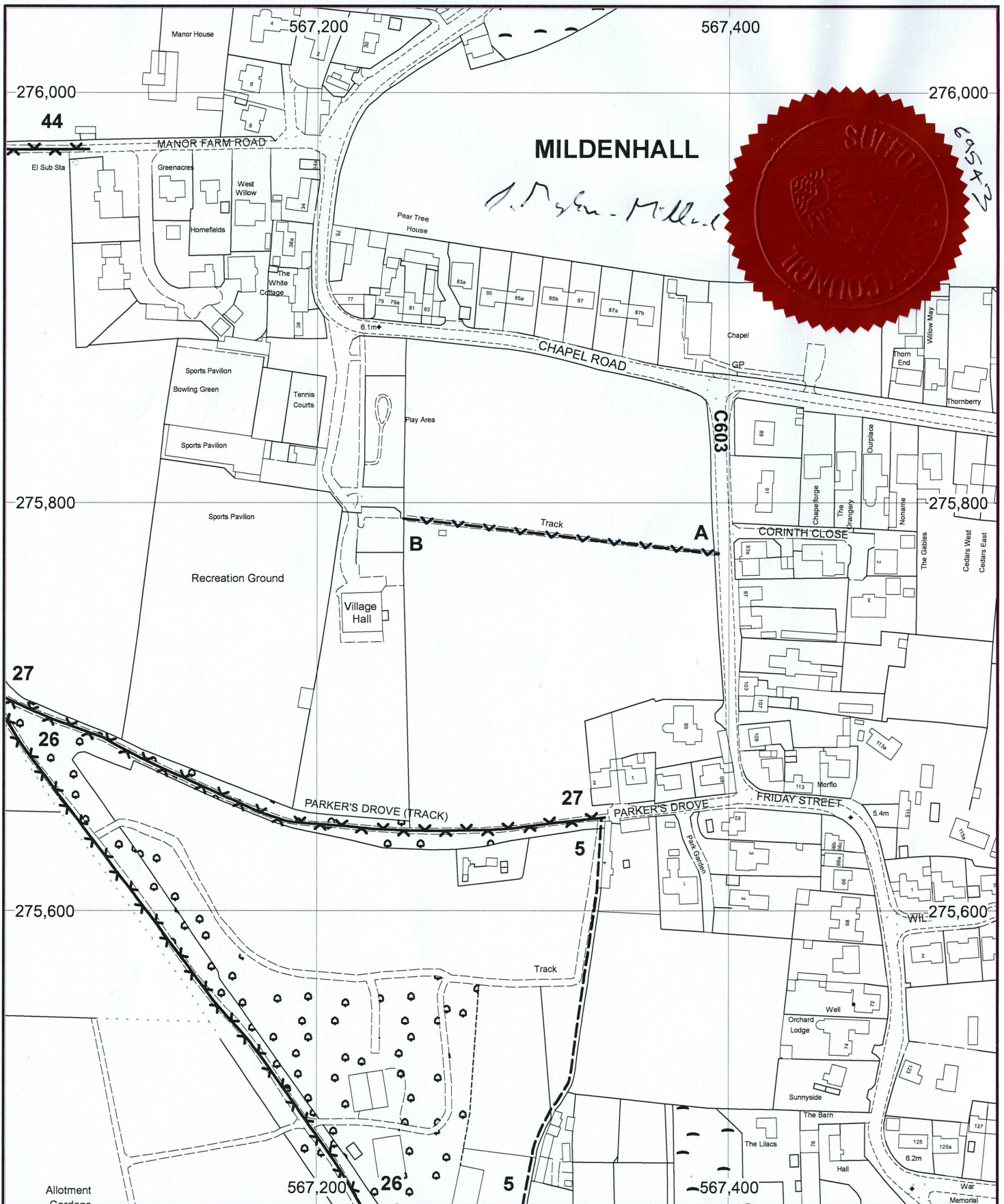
Width: 2.4 metres

Limitation: Gap approximately 1.0 metre wide between a hedge and a chain link fence at OSGR 56724,27579 (point B).

(The path width is based on an average of all widths specified in the user evidence forms).







## PROPOSED RESTRICTED BYWAY IN MILDENHALL



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

- Proposed Restricted Byway (A - B)
- Existing Footpath
- Existing Byway Open to All Traffic

Ordnance Survey MasterMap

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**Scale: 1:2,500 at A4**