

NOTICE OF PUBLIC PATH ORDER

HIGHWAYS ACT 1980

EAST SUFFOLK COUNCIL (HALESWORTH FOOTPATH NO 27 & HOLTON FOOTPATH NO 14) PUBLIC PATH CREATION ORDER 2024

The above order, made on 19 June 2024 under section 26 of the Highways Act 1980, will create a public footpath from Ordnance Survey grid reference (OSGR) TM39457754 in a generally easterly direction for approximately 94 metres, to OSGR TM39547755 then north for approximately 14 metres to OSGR TM39547756 then crossing the road in an easterly direction for 11 metres to OSGR TM39557756, turning south for 17 metres to OSGR TM39557754 then in a generally easterly direction for approximately 69 metres to OSGR TM39627755 where it enters the public open space and continues in a generally east south easterly direction for 233 metres to OSGR TM39847752 then continues in an easterly direction for 5 metres, to join the existing route of Holton footpath no 6 at OSGR TM39857752 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 Halesworth Library, Bridge Street, Halesworth, IP19 8AD between the hours of 09:00 and 13:00 on Monday, and 09:00 to 17:00 on Tuesday, Wednesday, Friday and Saturday and 10:00 to 15:00 on Sunday. Copies can be requested by telephoning the Public Path Orders Officer at East Suffolk Council on 01394 444508 or by email to public.pathorders@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 Public Path Orders Officer, East Suffolk Council, Riverside, 4 Canning Road, Lowestoft, NR33 0EQ or emailed to publicpathorders@eastsuffolk.gov.uk not later than 24 July 2024. 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If no such representations or objections are duly made, or if any so made are withdrawn, East Suffolk Council may confirm the order as an unopposed order.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.

C Bally
Chief Executive
East Suffolk Council
26 June 2024

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

HIGHWAYS ACT 1980

EAST SUFFOLK COUNCIL (HALESWORTH FOOTPATH NO 27 AND HOLTON FOOTPATH NO 14) PUBLIC PATH CREATION ORDER

Under the Highways Act 1980, county and district councils have the power to make orders to create, extinguish/stop up (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 create a new public footpath connecting Stead Drive in Halesworth to the existing public footpath Holton No 6. This statement has been prepared to explain various aspects of the order.

The Council may authorise the creation of a footpath under section 26 of the Highways Act 1980 if it appears to the authority that there is a need for a footpath over the land and it is satisfied that, having regard to a) the extent to which the path or way would add to the convenience or enjoyment of a substantial section of the public, or to the convenience of persons resident in the area, and b) the effect which the creation of the path would have on the rights of persons interested in the land, account being taken of the provisions as to compensation contain in Section 28 of the Highways Act 1980, it is expedient that the path should be created.

This new route will allow pedestrians safe, off-road access from the Hill Street Farm/Blyth Vale development area of Halesworth to Orchard Valley, Holton. From that point there are onward routes to Holton St Peter Primary School, a new Nursery and the Village Hall. It will also aid the cohesion of existing and new communities and increase access to new public open space for the existing community.

An informal consultation was carried out between November 16 and December 15 2023. One hundred and forty letters were hand delivered to the Blyth Vale Estate, the two parish councils, district councillors and three landowners adjacent to the proposed new route. Forty-two responses in support of the proposed path were received. Six objections were received. It can be seen from their responses and their attempts to use the route prior to an order being confirmed that local residents wish to use the proposed route and would derive enjoyment and convenience from it.

A person can claim compensation if the value of their interest in the land is depreciated or if they have suffered damage by being disturbed in their enjoyment of land in consequence of a public path creation order coming into effect.

The order will come into effect only after it has been confirmed and the necessary site works have been undertaken: making and advertising the order simply provides an opportunity for objections or representations to be made.

Objections or representations relating to the order must be made in writing by 24 July 2024 to the Public Path Orders Officer, East Suffolk Council, Riverside, 4 Canning Road, Lowestoft, NR33 0EQ

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 <http://www.eastsuffolk.gov.uk/assets/Your-Council/Access-to-Information/Privacy-Notices/Rights-of-Way-Privacy-Notice.pdf> 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 Public Path Orders Officer, telephone 01394 444 508 or email publicpathorders@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.

C Bally
Chief Executive
East Suffolk Council

PUBLIC PATH CREATION ORDER
HIGHWAYS ACT 1980
EAST SUFFOLK COUNCIL
(HALESWORTH FOOTPATH NO 27 & HOLTON FOOTPATH NO 14)
PUBLIC PATH CREATION ORDER 2024

This order is made by East Suffolk Council (“the authority”) under section 26 of the Highways Act 1980 (“the 1980 Act”) because it appears to the authority that, having regard to the matters set out in Section 26(1), there is a need for a public footpath over the land to which this order relates, and that it is expedient that the path should be created.

Suffolk County Council has been consulted as required by Section 26(3) of the 1980 Act.

BY THIS ORDER:

1. There shall be at the end of 90 days from the date of confirmation of this order a public footpath over the land at Halesworth and Holton described in Part 1 of the Schedule to this order and shown by a bold broken line on the map attached to this order.

THE COMMON SEAL of the said

EAST SUFFOLK COUNCIL

was hereunto affixed this 19th day of June 2024

in the presence of:-

Authorised Officer:

MA
MARTIN CLARKE
LICENSING MANAGER AND
HUMAN RESOURCES



1375

SCHEDULE

PART 1

DESCRIPTION OF LAND

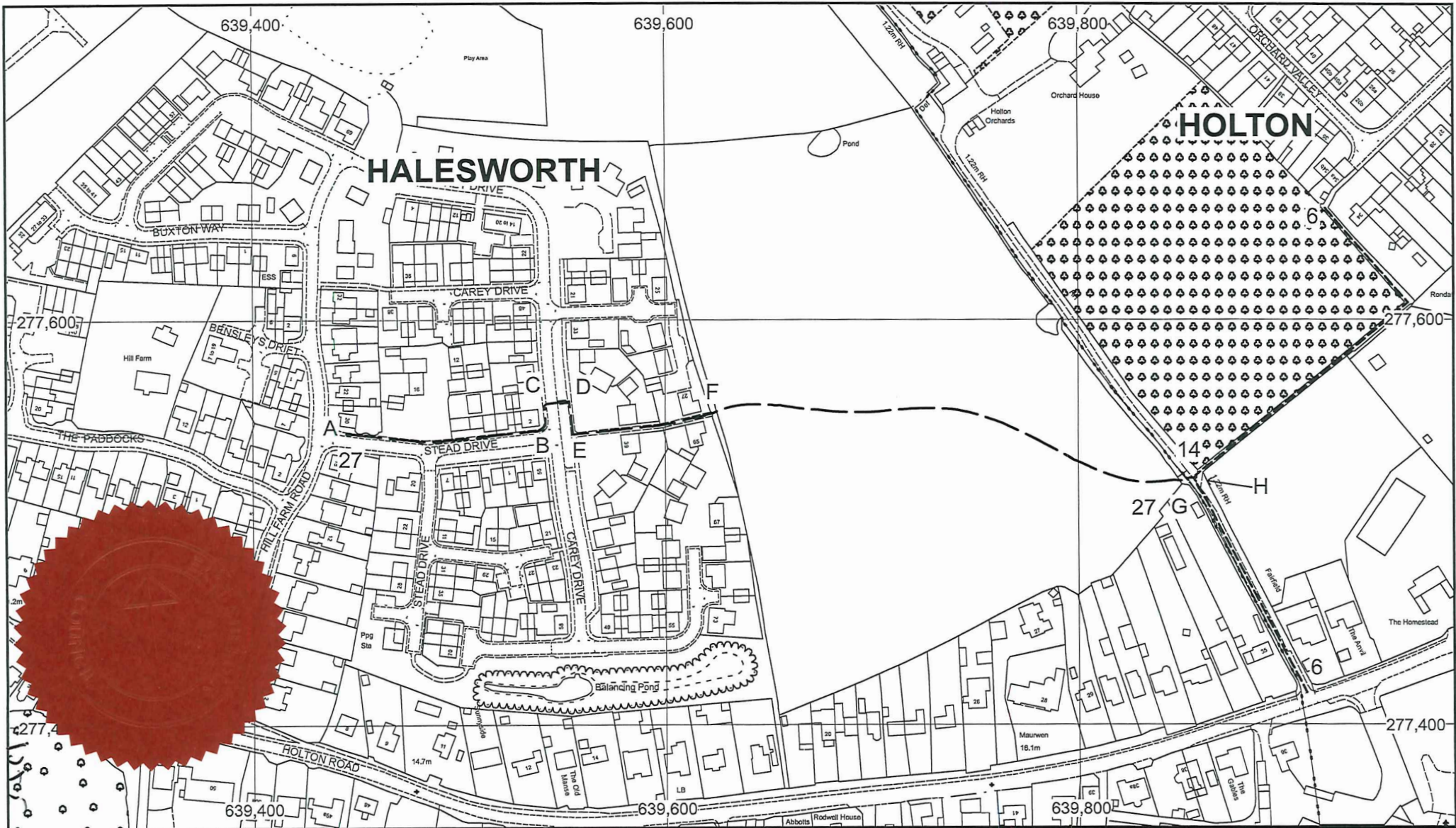
Halesworth Footpath No 27– Commencing at Ordnance Survey grid reference TM39457754 at point A on Stead Drive at the adopted highway boundary and proceeding in a generally easterly direction along the footway on the northern side of the road for approximately 94 metres to Ordnance Survey grid reference TM39547755 at point B on the western side of the junction with Carey Drive, turning north for approximately 14 metres along the footway on the western side of the road to Ordnance Survey grid reference TM39547756 at point C and crossing the road in an easterly direction for 11 metres to Ordnance Survey grid reference TM39557756 at point D, turning south along the footway on the eastern side of the road for 17 metres to Ordnance Survey grid reference TM39557754 at point E then in a generally easterly direction for approximately 69 metres to Ordnance Survey grid reference TM39627755 at point F where it enters the public open space and continues in a generally east south easterly direction for 233 metres to Ordnance Survey grid reference TM39847752 at point G; this being the route shown between points A – B – C – D – E – F – G on the order map.

Holton Footpath No 14 – Commencing at Ordnance Survey grid reference TM39847752 at point G and proceeding in an easterly direction for 5 metres, to join Holton Footpath No 6 at Ordnance Survey grid reference TM39857752 at point H, this being the route shown between points G – H on the order map.

Width: A – B – C – D 1.8 metres

D – E – F 2 metres

F – G – H 1.8 metres



- Proposed Footpath (A-B-C-D-E-F-G-H)
- Unaffected Footpath
- Definitive Map Parish Boundary



Scale: 1:2,500 at A4

MAP REFERRED TO IN THE EAST SUFFOLK COUNCIL (HALESWORTH FOOTPATH NO 27 AND HOLTON FOOTPATH NO 14) PUBLIC PATH CREATION ORDER- HIGHWAYS ACT 1980- SECTION 26