

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.

The District Council has made an order to divert part of Rattlesden Public Footpath 20 off School Road. This statement has been prepared to explain various aspects of the order.

The application has been submitted under Section 119 of the Highways Act 1980 in the interests of the owners of the land crossed by the footpath. The applicants' statement of reasons for requesting the diversion is summarised below:

The Footpath is 3 meters from our house and users of the path have full view into the windows of our home. Our concerns and motivations for the application to move the footpath are:

1. Security of the house, property, outbuildings, and more importantly, our family. The Footpath passes very close to the house and extends to areas of our property that are secluded, where users have full view and access to the garage and gardens.

2. Privacy, Footpath users can see directly into the inside of the house, garage and garden. We have a young family, and it is concerning not knowing who may be passing as close as 3 meters from our home at any time of the day.

3. Disturbance, there are dogs walking off lead that can directly disturb our dog both inside and outside our house, causing barking and nuisance to us, the footpath users and scaring the livestock in the paddock. There have also been occasions of bagged dog waste being disposed of in our garden where the children play.

4. Footpath Improvement for public, several walkers have commented that the current footpath is very narrow, slippery, and waterlogged after wet weather. If the application was to be successful, the proposed path would route on higher ground and have lesser chance of becoming waterlogged on better draining soil, alongside this, increasing the width would improve the ability to maintain the path and make it more accessible for users.

It should be noted that our paddock has a development covenant where no residential accommodation is permitted, we have no intension of building on the paddock and the application is not for any development benefit. We use of the paddock for Livestock and hope to establish a wildflower meadow to increase biodiversity and bees.

Cont.

The existing route has a legally recorded width of 1.5 meters. The proposed footpath will be 2 metres wide.

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, that the order does not alter any termination points of the footpath other than to other points on the same path or highways connected with it and which are substantially as convenient to the public, 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 creation or 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 3 July 2025 to N Christo, Head of Public Realm and Parking Services, Mid Suffolk District Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

The Council is willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact Katie Fookes by emailing public.realm@baberghmidsuffolk.gov.uk.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner.

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.

N Christo
Head of Public Realm and Parking Services
Mid Suffolk District Council

5 June 2025