

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

**DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF DEBEN IN
THE FORMER ADMINISTRATIVE COUNTY OF EAST SUFFOLK**

**SUFFOLK COUNTY COUNCIL (DEBEN RURAL DISTRICT DEFINITIVE MAP AND
STATEMENT)(PARISH OF PLAYFORD)
MODIFICATION ORDER 2023**

The above order made on 30 January 2023 if confirmed as made, will modify the definitive map and statement for the area by adding a public footpath from Butts Road at Ordnance Survey Grid Reference (OSGR) 62141,24827 to Church Road at OSGR 62175,24875 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 David Last on tel: 01473 264770 or email: 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/> or inspected at Kesgrave Library, Kinsey House, Kays Close, Kesgrave, IP5 2HL. Opening times are:

Monday 09.00 to 12.00; Tuesday 09.00 to 12.00 and 14.30 to 17.00; Wednesday 14.30 to 18.00; Thursday 14.30 to 20.00; Friday 09.00 to 12.00 and 14.30 to 18.00; Saturday 10.00 to 17.00 and Sunday 10.00 to 15.00.

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 30 March 2023, 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If no representations or objections are duly made to the order, or to any part of it, or if any so made are withdrawn, Suffolk County Council, instead of submitting the order to the Secretary of State (or part of it if the authority has by notice to the Secretary of State so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Food and Rural Affairs in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.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: 16 February 2023



Nigel Inniss
Head of Legal Services
Suffolk County Council
Endeavour House, 8 Russell Road
Ipswich, IP1 1BX

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

WILDLIFE AND COUNTRYSIDE ACT 1981

**SUFFOLK COUNTY COUNCIL (DEBEN RURAL DISTRICT DEFINITIVE MAP AND STATEMENT)(PARISH OF PLAYFORD)
MODIFICATION ORDER 2023**

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

- Formal Application with attachments dated 18 October 2016
- User evidence forms
- 1979 Review Material
- Alan Ellis Parken Highways Act 1980 section 31(6) statement and plan dated 16 February 2017 (Record ID9396) [Statement and Declaration Page \(suffolkpublicrightsofway.org.uk\)](http://suffolkpublicrightsofway.org.uk)
- Google Earth Aerial Images
- Birketts letter and witness statements for landowner dated 19 October 2022
- Email dated 1 November 2022 from Birketts with no comments to make on draft report
- Email dated 7 November 2022 from Parish Council following draft report being discussed at Parish meeting
- Emailed letter dated 9 November 2022 with attachments from District Councillor Colin Hedgley

By prior appointment at The Hold, Suffolk Archives, 131 Fore Street, Ipswich, IP4 1LN:

- Playford Tithe Map and Apportionment 1846 (IRO ref: FDA196/A1/a,b)
- Hodkinson's Map 1783
- Bryant's Map 1824/5
- Greenwood's Map 1825

- 25-inch Ordnance Survey Mapping (3 County Series Editions dated 1881, 1904 and 1927, sheet numbers 76/1 and 76/2)

Objections or representations relating to the order must be made in writing by 30 March 2023 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 at the above address 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, 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.

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE FORMER RURAL DISTRICT OF DEBEN IN
THE FORMER ADMINISTRATIVE COUNTY OF EAST SUFFOLK

SUFFOLK COUNTY COUNCIL (DEBEN RURAL DISTRICT DEFINITIVE MAP AND
STATEMENT)(PARISH OF PLAYFORD) MODIFICATION ORDER 2023

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 the former Rural District of Deben in the former Administrative County of East Suffolk requires modification in consequence of the occurrence of an event specified in sections 53(3)(c)(i) namely, the discovery by the Authority of evidence which shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates.

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 January 2023.
2. The Definitive Map and Statement for the former Rural District of Deben in the former Administrative County of East 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 (Deben Rural District Definitive Map and Statement)(Parish of Playford) Modification Order 2023.

Date: 30th January 2023

The common seal of
SUFFOLK COUNTY COUNCIL
Was hereunto affixed

In the presence of



An authorised Officer of the Council



SCHEDULE

PART 1

Modification of Definitive Map

Description of footpath to be added:

There shall be added to the Definitive Map for the former Rural District of Deben in the parish of Playford a footpath from Ordnance Survey grid reference (OSGR) 62141,24827 (point A) to OSGR 62175,24875 (point B) as shown on the attached map.

PART 2

Modification of Definitive Statement

Particulars of footpath to be added:

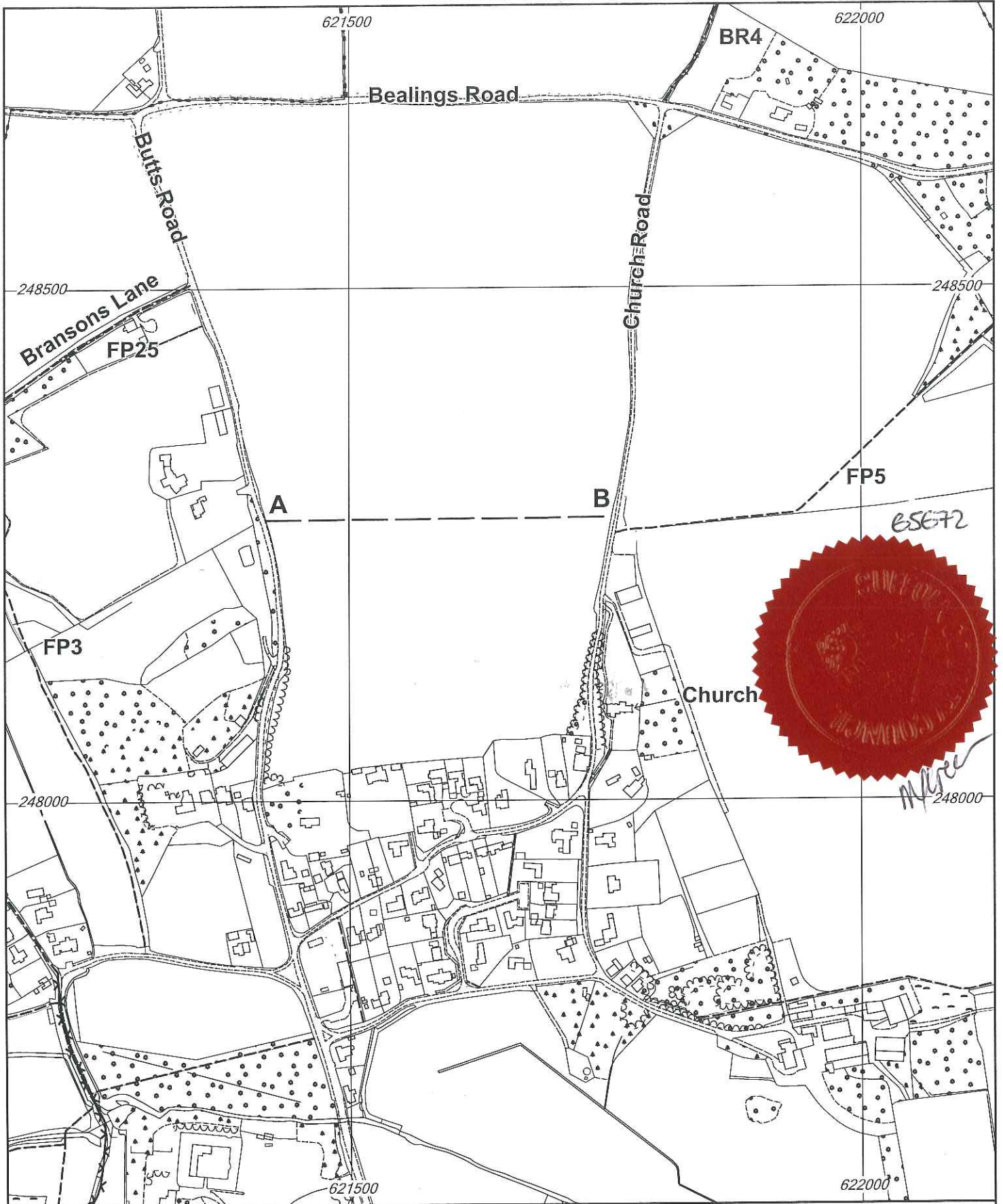
There shall be added to the Definitive Statement for the former Rural District of Deben in the parish of Playford the following particulars:

Playford Footpath 26

Commencing at a junction with Butts Road at Ordnance Survey Grid Reference (OSGR) 62141,24827 (point A) and proceeding in a easterly direction across a field for 338 metres and terminating at a junction with Church Road at OSGR 62175,24875 (point B).

Width: 1.2 metres

NB. Based on the metric equivalent of the average width quoted in user evidence.

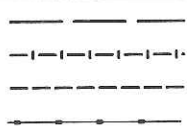


PROPOSED PUBLIC FOOTPATH IN PLAYFORD



**Suffolk
County Council**

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



Proposed Public Footpath
Existing Bridleway
Existing Public Footpath
Definitive Map Parish Boundary

Scale 1:5000



Ordnance Survey MasterMap

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