

**SUFFOLK COUNTY COUNCIL**

**SECTION 25**

**HIGHWAYS ACT 1980**

**PUBLIC PATH CREATION AGREEMENT**

**BETWEEN**

**STOWUPLAND PARISH COUNCIL**

**AND**

**JOHN MILTON ACADEMY TRUST**

**AND**

**SUFFOLK COUNTY COUNCIL**

This Public Path Agreement is made the **23<sup>rd</sup>** day of December two thousand and nineteen between **SUFFOLK COUNTY COUNCIL** of Endeavour House 8 Russell Road Ipswich IP1 2BX ('the Council') of the first part and Stowupland Parish Council , whose address for service is care of Parish Clerks Office, 2 Broomspath Road, Stowupland, Suffolk IP14 4DB of the second part and John Milton Academy Trust, whose address for service is Church Road, Stowupland, Suffolk IP14 4BQ of the third part ('the Owners').

#### **WHEREAS**

1. The Owners are registered as proprietors with absolute freehold title at HM Land Registry under the numbers SK326098 (the 'first Owner') and SK335992 (the 'second Owner') (Insofar as Suffolk County Council is satisfied that the Owners are seised in fee simple in possession) of the land in the parish of Stowupland shown edged red on Maps 1 and 2 annexed hereto ('the Red Land').
2. The Owners intend to dedicate to the public a right of way as a footpath (Footpath 64) 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 3 annexed hereto by a black dashed line.
3. Mid Suffolk District Council has been consulted pursuant to Section 25(3) of the Highways Act 1980 ('the Act').

#### **NOW IT IS HEREBY AGREED**

1. Subject to Clause 3 in consideration of the execution of the agreement and conditions hereinafter contained and pursuant to Section 25 of the Highways Act 1980 the Owners hereby dedicate for use by the public for the purpose of a footpath all that strip of land shown by a black dashed line on Map 3

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 hereinafter be enjoyed by the public as a footpath.

2. Stowupland Parish Council (the 'first Owner') has further agreed to dedicate to the public additional width to part of Public Footpath 61 Stowupland, as described in the Schedule hereto.
3. Dedication of the proposed footpath on the 'second Owners' land is subject to, and conditional upon, application and relevant consent being issued by the Department for Education (DfE) to the Academy Trust (Covenator). The Academy Trust agrees to notify the county council in writing as soon as possible after such consent has been granted and that the dedication of the footpath on the 'second Owners' land' shall take immediate effect upon receipt of that notice by the Council.
4. The rights conferred on the public under this Agreement shall be subject to the conditions specified in the Schedule to this Agreement.
5. The Owners shall if called upon by the Council but at the sole expense of the Council prove their title to the land with full title guarantee in fee simple.
6. This Agreement shall come into operation on the date it is signed.
7. The Council shall undertake all works required to bring the dedicated footpath into a fit state for use by the public.

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

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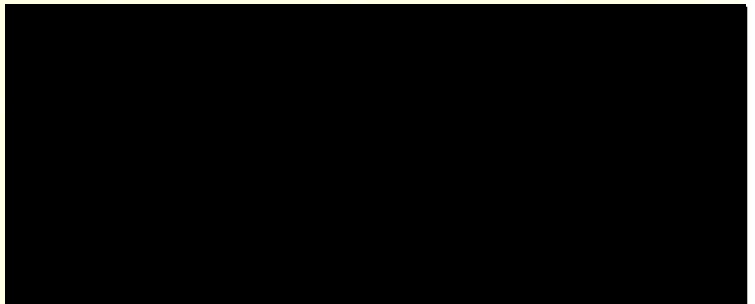
THE COMMON SEAL of )  
SUFFOLK COUNTY COUNCIL )  
was hereunto affixed in the )  
presence of : )

An authorised officer of the Council

*David Nash*  
.....

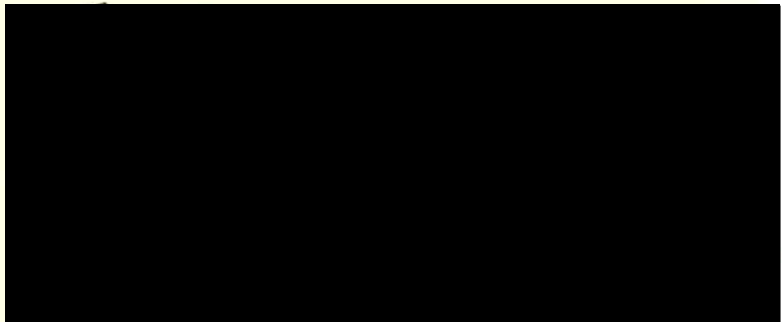
EXECUTED as a deed by  
STOWUPLAND PARISH COUNCIL

Signature )  
Name )  
Address )  
Occupation )



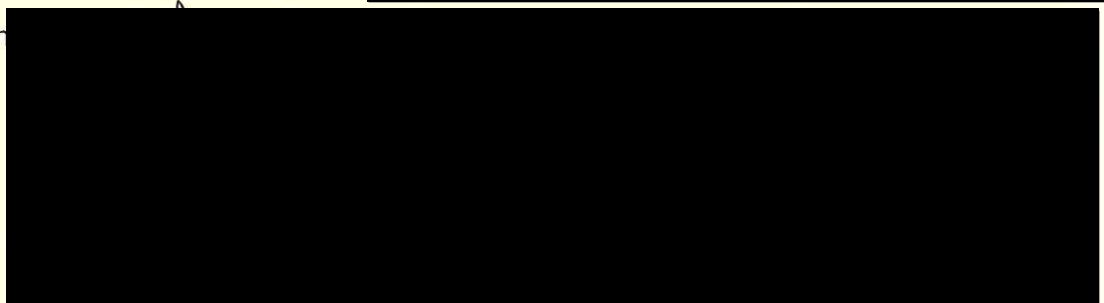
EXECUTED as a deed by  
JOHN MILTON ACADEMY TRUST

Signature )  
Name )  
Address )  
Occupation )



in the presence of

Signature  
Name  
Address  
Occupation



## SCHEDULE

### Footpath 64

Commencing at the junction with Footpath 61 Stowupland at OSGR 60664 25974 (point A) and proceeding in a south easterly direction for 25 metres to the junction with Thorney Green Road at OSGR 60666 25973 (point B), recontinuing on the eastern side of the road at OSGR 60667 25973 (point C) and proceeding in a north easterly direction across Thorney Green for 80 metres to OSGR 60673 25979; then curving in a general northerly direction for a further 26 metres to join Footpath 32 Stowupland and continuing in the same general direction for a further 27 metres to join Footpath 34 Stowupland; then continuing in the same general direction for a further 22 metres to join Footpath 35 Stowupland at OSGR 60673 25986 (point D), recommencing north of the culvert at OSGR 60674 25986 (point E) and continuing in a general south easterly direction for 24 metres, then curving in a general north easterly direction for 73 metres to OSGR 60681 25990; then changing to a north westerly and north easterly direction (crossing Footpath 36) for 34 metres to OSGR 60682 25993 (point F); then continuing in a south easterly and then generally north easterly direction for a further 103 metres to OSGR 60691 25997 (point G); then zig-zagging in a north easterly direction (crossing Footpath 37) and then in a generally easterly direction before curving in a south, south easterly direction for 215 metres to join Church Road (A1120) at OSGR 60705 25993 (point H), a total distance of 629 metres.

Width: 2.5 metres

Additional width to be dedicated to existing public footpath by Stowupland Parish Council (the 'first Owner')

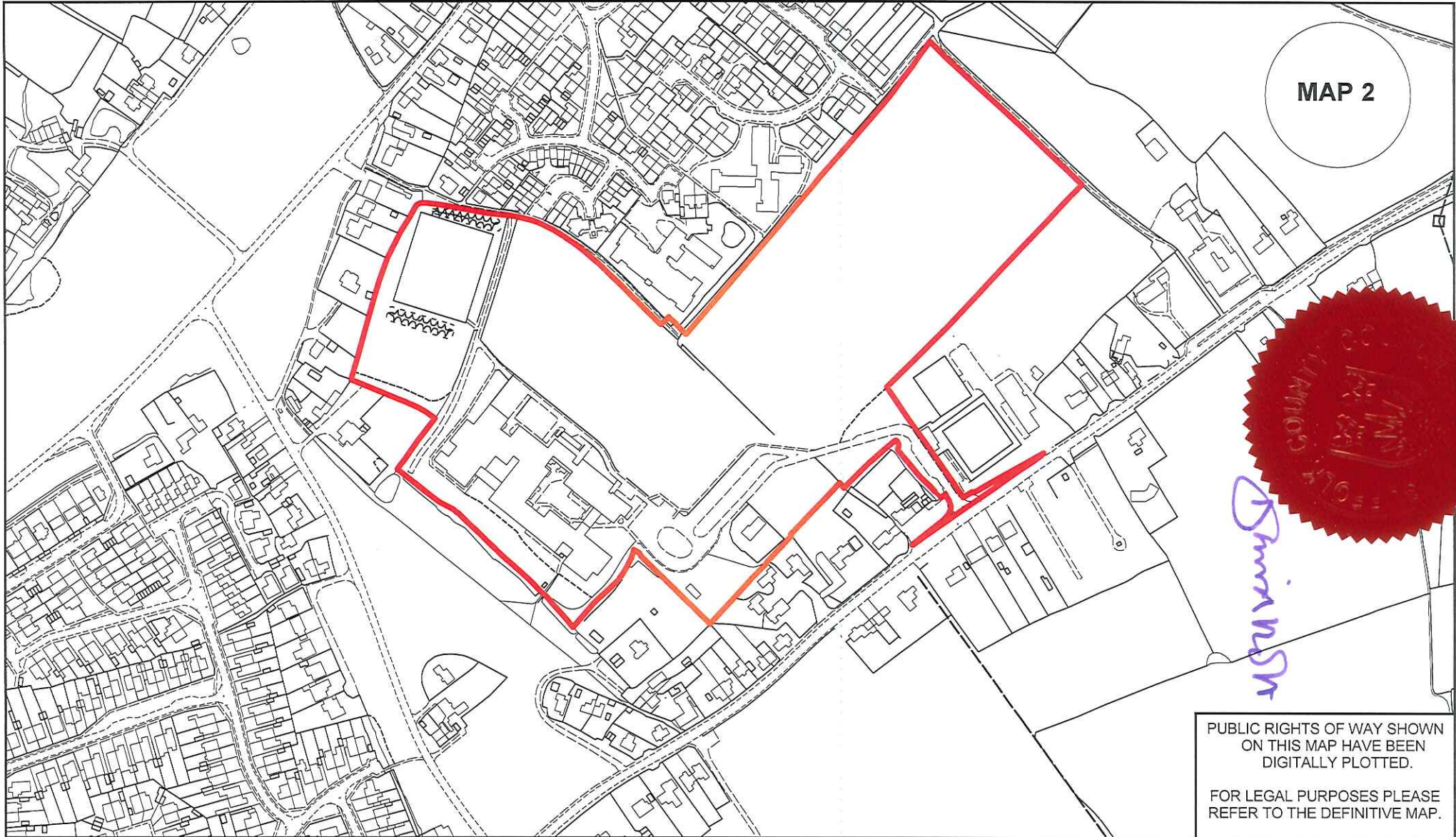
### Footpath 61

A width of 1 metre for a length of 11 metres between OSGRs 60663 25974 and 60664 25974 (point A).

It is the intention that as a result of this Agreement there will be a public footpath of 2.5 metres uniform width between OSGR 60663 25974 and OSGR 60664 25974 (point A) and OSGR 60673 25986 (point D); and OSGR 60674 25986 (point E) and OSGR 60705 25993 (point H).

(Grid references taken from OS master map data. Lengths are approximate)





MAP 2



24299

*Diana M...*

PUBLIC RIGHTS OF WAY SHOWN ON THIS MAP HAVE BEEN DIGITALLY PLOTTED.  
FOR LEGAL PURPOSES PLEASE REFER TO THE DEFINITIVE MAP.



Scale 1:2500  
Ordnance Survey MasterMap

**EXTENT OF JOHN MILTON ACADEMY TRUST OWNERSHIP**  
**TITLE No SK335992**

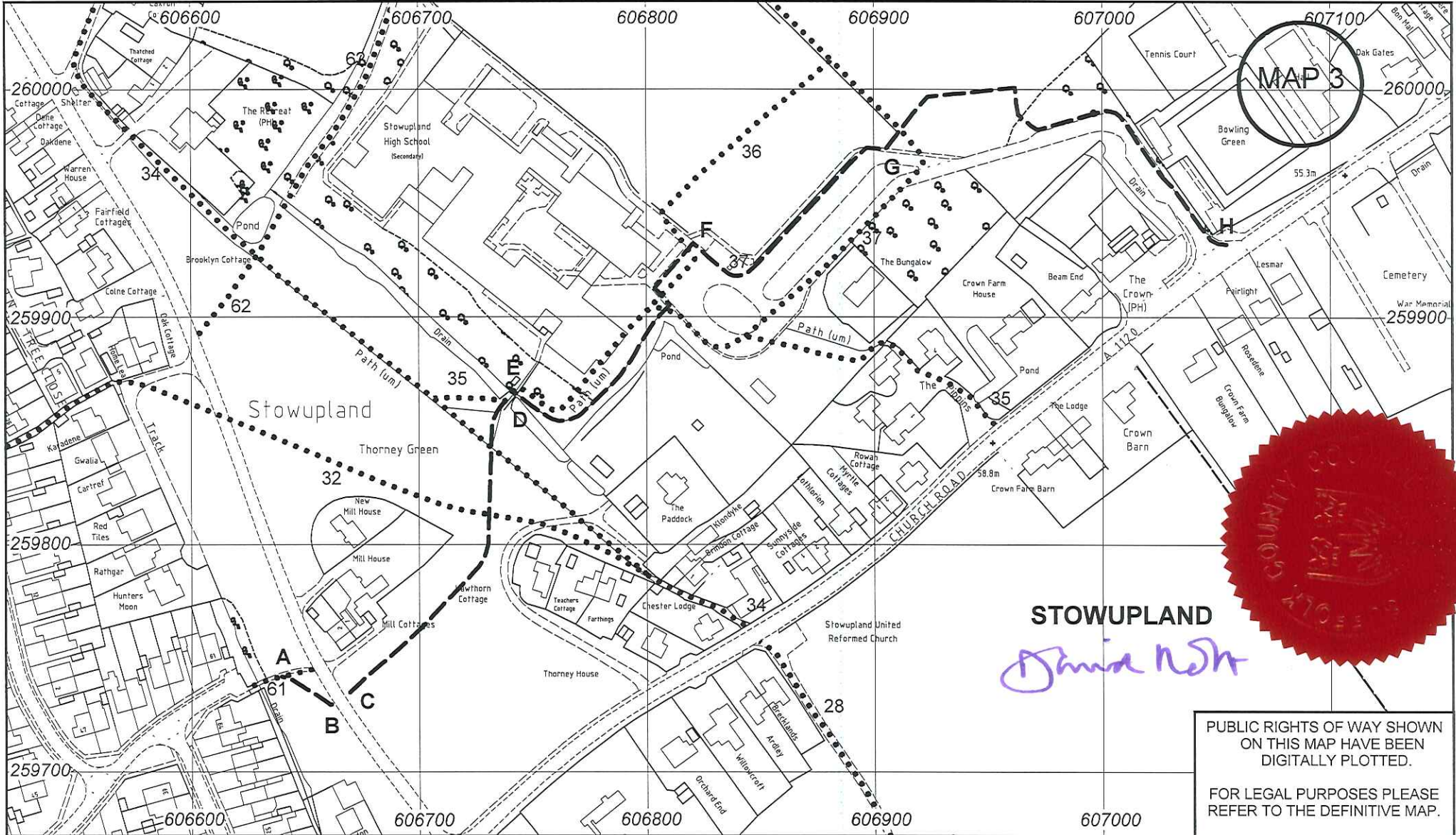


 Limit of landownership

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

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Director of Growth, Highways and Infrastructure  
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Scale 1:1500  
 Ordnance Survey MasterMap

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--- Public Footpath to be Dedicated

..... Existing Public Rights of Way

PUBLIC FOOTPATH 64 STOWUPLAND

s25 HIGHWAYS ACT 1980



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