

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 Stowmarket Public Footpath 18 and the whole of Stowmarket Public Footpath 62. This statement has been prepared to explain various aspects of the order.

The order has been made in the interests of the owners of the land crossed by the footpaths and of the public. The reasons for the diversions are summarised below:

The proposed diversions will regularise the realignment of the public footpaths which has already taken place to enable the redevelopment by Mid Suffolk District Council of the old Middle School site off Walnut Tree Walk for affordable housing. The housing development was approved under planning reference DC/19/02484.

Stowmarket Public Footpath 18

Walnut Tree Walk has been widened to allow for increased vehicular traffic. This has necessitated the car parking for the recreation ground being moved slightly further south which means that the new car parking bays for the development slightly encroach upon the legal width of Footpath 18.

The parking bays are provided for use by visitors to the recreation ground. Two of the new bays at the eastern end are allocated for social housing use. The proposal is to divert Footpath 18 around the new parking bays.

The legally recorded width of the footpath to be diverted is 2.5 metres. On the ground this comprised a 1.8 metre wide tarmac surface from the back of the parking spaces with the remainder being grass, which ran without differentiation into the recreation ground space. This is replicated by the new route, i.e. a 1.8 metre wide tarmac path with the remainder being grass surface flowing into the recreation ground. The legally recorded width of the new footpath varies between 1.8 metres and 2.5 metres.

There is a yellow hatched area between the parking bays and the footpath to discourage cars from overhanging onto the footpath.

Stowmarket Public Footpath 62

Footpath 62 needs to be diverted in its entirety to accommodate a new stay for the electricity pole. The existing stay already obstructed the line of the footpath to some degree prior to the development.

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The redevelopment required significant utility works, and the contractor advised that there was only one appropriate location for the stay. It would be inappropriate for the public to walk underneath the stay, as it would constrict height, present a tripping hazard and potentially be dangerous.

The new route follows the back of parking bay No. 2, which is allocated for social housing, to join the new footway that has been provided alongside Walnut Tree Walk outside the new development. The footpath has been constructed to Suffolk County Council estate road specification and will be formally adopted as highway maintainable at public expense in the longer term.

The existing legally recorded width of the footpath is 2.5m. The new route varies in width between 1.64 metres and 2.5 metres.

The Council is satisfied that the order complies with the legal grounds and tests laid down in the Highways Act.

It considers that the proposals are in the interests of the owners of the land and of the public, that the order does not alter any termination points of the footpaths other than to other points on the same paths or highways connected with them and which are substantially as convenient to the public, that the proposed routes will not be substantially less convenient to the public as a consequence of the diversions and that the proposals will not have an adverse effect on public enjoyment of the footpaths 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.

Objections or representations relating to the order must be made in writing by 1 January 2026 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 Sharon Berry 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

4 December 2025