

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 Eye Public Footpath 17 off Ash Drive. 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 and of the public. The applicant's statement of reasons for requesting the diversion is summarised below:

A section of footpath 17 passes between the bungalow known as High Bank Farm and the garage belonging to the owner sited to the south of the property. Walkers on the path are close to the property and given the sloping ground are on a visual level with the bungalow's living rooms and bedrooms thus creating a level of insecurity for the current resident.

The footpath is narrow and slopes due to the nature of the site. Additionally there is a dangerous dog leg turn at the field corner where the path crosses a land drain. Tipping of predominantly green materials from the residents of Pine Close in past years have accentuated the slope and further narrowed the corner turn.

The landowner of the "Land at Ash Drive" has created a wide and level permissive path at the southern end of the site where it borders the water course. This project was carried out with the Eye Outdoors Group and in close liaison with the Environment Lead of Eye Town Council.

This work was undertaken by the Water Management Alliance who cleared and levelled the site and put in a land bridge over the drain on the western side of the site. The new path has been seeded with grass and has a fence which protects a new area of native hedging as advised by the local tree warden and the MSDC biodiversity lead.

This path enables residents and visitors to Eye a more accessible path between Lambseth Street and Ash Drive and through to Wellington Road. This serves the interests of current users providing a safer and more direct route for school students and members of the local scout group. The path is visually more attractive as it is routed alongside the edge of the water course and feels like a natural continuation of the footpath past Goode House and Dove Brook House.

The path forms part of the "Way of Healing" route which provides a green walking route around the western side of the town.

It connects with footpaths 12 and 7 which provide a walkable route from Hartismere High School and the new housing developments off Castleton Way, thus encouraging pedestrian activity

The existing route has a legally recorded width of 1.2 metres. The proposed footpath will be 2.5 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 and of the public, 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 23 July 2026 to the Public Rights of Way Officer, 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.

Sharon Bayliss
Head of Service for Public Realm and Parking Services
Mid Suffolk District Council

25 June 2026