

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

**Wildlife and Countryside Act 1981
Definitive Map Modification Order**

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 made under section 53 of the Wildlife and Countryside Act 1981. These orders do not come into effect until confirmed: 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 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 during normal office hours at the relevant Record Office.

Suffolk Record Office, 77 Raingate St, Bury Saint Edmunds

1878 Great Eastern Railway (Bury Record Office ref: EF506/3/149)
Ordnance Survey maps of 1886, 1902 and 1926
1968-69 British Railways Correspondence (Bury Record Office ref: EF506/3/149)

Cambridge Record Office, Shire Hall, Castle Hill, Cambridge

Woodditton Inclosure Map 1824 (Cambridge Record Office ref: P55/26/2)
Woodditton Inclosure Award 1824 (Cambridge Record Office ref: Q/RDz10)
1845 Chesterford and Newmarket Railway Plan (Cambridge Record Office ref:L91-1)
1851 Newmarket and Chesterford Railway Extension (Cambridge Record Office ref:Q/Rum33)

(By prior appointment) at the offices of Suffolk County Council, Phoenix House, Goddard Road, Ipswich:

Formal application from Mr Smy dated 16 April 2018
Email dated 14 June 2018 with Inquiry papers link from Steve Day of Network Rail
Email dated 7 July 2018 from Phil Prigg
Email dated 27 July 2018 with Network Rail's Statement of Response
Aerial Photography
Letter dated 12 August 2018 commenting on draft report from Mr Smy (applicant)
Telephone call from Councillor Rachel Hood on 13 August 2018
Email from Councillor Hood dated 14 August 2018
Email dated 28 August 2018 from Mr Day for Network Rail commenting on draft report
Email from Newmarket Town Council dated 30 August 2018
Email dated 12 September 2018 from Mr Smy (applicant)

Objections or representations relating to the order must be made in writing by 10 January 2019 to the Definitive Map Manager, Suffolk Highways, Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP.

To be relevant, objections or representations should relate to the question of the existence of status of rights of way; other objections or representations (e.g. relating to privacy, security or amenity) are irrelevant to the evidential test.

The 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, ☎ Ipswich (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 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 Council must refer the order and objections to the Department of Environment, Food and Rural Affairs. The Department 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.

Suffolk County Council's Rights of Way and Access privacy notice can be found at:

<http://www.suffolkpublicrightsofway.org.uk/home/privacy-and-data-protection-2/>