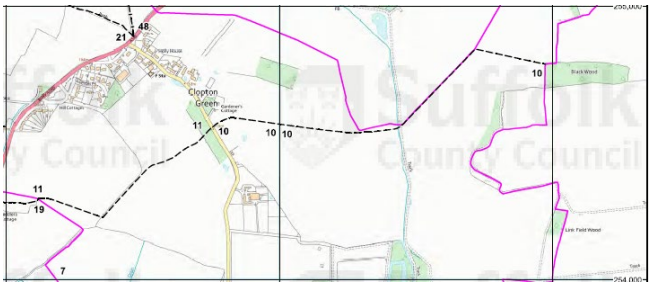
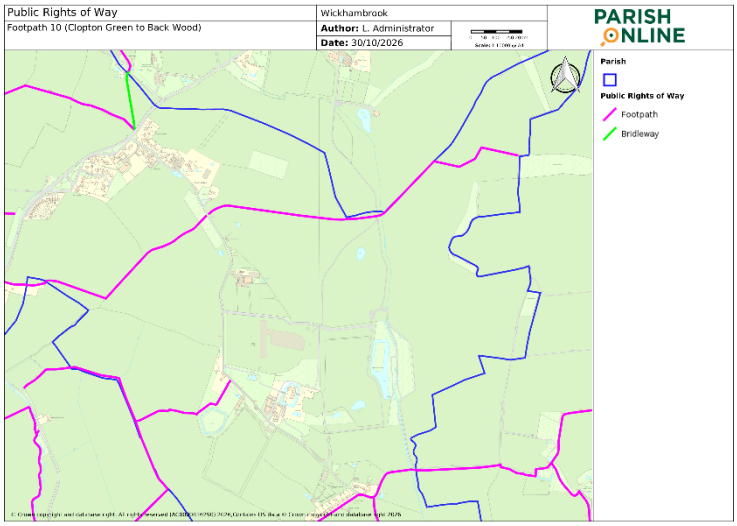
At its September meeting, the Footpaths Officer, Roger Medley reported that he had approached Suffolk County Council with respect to a possible extension to FP10 (Min. **WPC.EC.26.09.7.3** refers):

*He had enquired about a possible extension to FP10 (the Stansfield fishing lakes are within reach) but had been advised by PRoW that* ***'there is insufficient historical evidence to make a modification****', so the footpath was likely to remain a dead end.*




Extract from 2024 SCC Definitive map for Wickhambrook




We have now received further correspondence from Suffolk County Council setting out the options for seeking an extension to the Footpath beyond Back Wood, attached as **Appendix A**. In summary:

1. SCC agrees that the parish boundary would not have been a destination for the path
2. A connecting path can only be recorded by confirming a legal order by either:
    a. A definitive map modification order (DMMO) – based on evidence to show an unrecorded path exists and therefore should be recorded. Insufficient evidence found in SCC's earlier 1998 investigation – their reports attached as **Appendix B**. Any new claim for a DMMO would need to be supported by new evidence.
3. A public path creation agreement or order – in 2012 the SCC approached the adjoining landowner in Stansfield, who, after some consideration, declined to enter into a creation agreement to dedicate a connecting path.
4. A public path creation order against the wishes of affected landowners could be considered, but affected landowners would be entitled to compensation, and thus, funding would be required.
5. This work has not been assigned any priority by SCC.
6. The cost of a Creation order is in the region of £5000, any compensation to landowners would be over and above that. The County Council does not currently have funding available for this case.

The committee should note that the extension of FP10 east through Back Wood falls entirely within the parish of Stanfield.

Hilary Workman
Clerk & RFO
October 2026

HP Hannah Potter

Thu, 15 Oct 2026 14:23:17 +0000

Roger Medley

Dear Mr Medley

Apologies for missing your last email, I have provided some more information on the matter below.

This cul de sac is recorded as an anomaly for future investigation and resolution. The county council agrees that the parish boundary would not have been a destination for the path, it seems clear that FP10 was intended to connect to a path continuing into the neighbouring parish, however, no connecting path was recorded on the first definitive map in Stansfield.

A connecting path can only be recorded by a confirmed legal order. There are two possible order making approaches:

1. A definitive map modification order (DMMO) under the Wildlife and Countryside Act 1981. This process is entirely based on evidence, which may be documentary and/or user evidence. It is necessary to provide sufficient evidence to show that an unrecorded path exists and therefore should be recorded on the definitive map and statement. The county council carried out an evidential investigation in 1998 and unfortunately found insufficient evidence to support making a DMMO. The attached reports give details of the previous claims and evidence considered. Any new claim for a DMMO would need to be supported by new evidence which wasnâ€™t previously considered. Note that while historic Ordnance Survey maps can provide evidence of the physical existence of a path on the ground at the time of the survey, they do not provide any evidence of public or private rights. Other evidence is required to show the existence of public rights. Apply for a definitive map modification order (DMMO) - Suffolk County Council

2. A public path creation agreement or order under the Highways Act 1980. In 2012 the county council approached the adjoining landowner in Stansfield to see if they would be willing to enter into a creation agreement under Section 25 to dedicate a connecting path. After giving the request some consideration it was declined. The alternative would be a public path creation order under Section 26 against the wishes of the affected landowner/s. It seems probable that an order would be objected and would have to be submitted to the Planning Inspectorate for confirmation, the affected landowner/s would be entitled to compensation if an order was confirmed so it would be necessary to have funding.

For the reasons explained above this anomaly is not currently assigned any priority for further investigation.

I should make you aware that the county council receives more cases requiring potential order making than we are able to process on receipt therefore we have a prioritising scheme, which aims to give priority to those cases which would potentially deliver the greatest public benefit in terms of improvement to the public rights of way networks. You can find further information about the prioritising scheme and the criteria we use on the website: Making changes to the definitive map and statement - Suffolk County Council.

If you wish to submit a DMMO application or propose a path creation this would be considered and assigned a priority by the definitive map case prioritising panel. Unfortunately, unless you are able to provide strong new evidence, or landowner agreement to a proposed path dedication, I think a proposal is unlikely to score highly against other competing priorities.

Kind regards

**clerk** < clerk@wickhambrook-pc.gov.uk >

## Wickhambrook Public Footpath 10

**< Hannah.Potter@suffolk.gov.uk >**

Thu, 22 Oct 2026 12:31:41 PM +0100

To "clerk@wickhambrook-pc.gov.uk"<clerk@wickhambrook-pc.gov.uk>

Dear Hilary

Thank you for your call last week regarding Wickhambrook Public Footpath 10. Apologies for my delay in responding.

At this stage, it is difficult to determine the total cost of a creation order without first establishing the proposed route. However, we would anticipate order-making costs in the region of £5,000. Any compensation payable to the landowners would be additional and would depend on factors such as land use, valuation considerations, and negotiations with the affected landowners. There may also be additional costs associated with any required structures, such as footbridges.

Unfortunately, the County Council does not currently have funding available for this case.

Is the Parish Council intending to approach the landowners regarding this matter?

For ease of reference, I have attached my previous email to Roger Medley, which summarises the case and its history, in case you have not already seen it.

Kind regards

Hannah Potter
**Definitive Map Officer**

Rights of Way and Access
Suffolk County Council
Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP
01284 758246

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**1 Attachment(s)**

attachment3.eml
1.8 MB

**Appendix B**

ROW Committee report BS9 (Cul… .pdf
569.9 KB

ROW Committee report BS8.pdf
700.2 KB

# BS8

**COMMITTEE:** RIGHTS OF WAY SUB-COMMITTEE

**DATE:** 26 JANUARY 1998

**TITLE:** CLAIMED FOOTPATH STANSFIELD 'D' - DEPDEN 'D'

**AUTHORSHIP:** COUNTY SECRETARY AND SOLICITOR AND
COUNTY DIRECTOR OF ENVIRONMENT AND TRANSPORT

**MAIN ISSUES:**

To consider the evidence relating to a claimed footpath 'D' in both the parishes of Stansfield and Depden.

**RECOMMENDATIONS:**

It is **RECOMMENDED** that the claim be rejected and the landowners and the Parish and Borough Councils be informed accordingly.

Contact Point: Ruth Egan (01473) 584134

dmb/committee/reports/d1833

BACKGROUND INFORMATION

1. INTRODUCTION

The claimed footpath forms a continuous route running in a predominantly northerly direction from Stansfield Footpath 8, north of Cordell Hall, to Depden Footpath 7, see attached map. The claim was made by Mr J Andrews of the Ramblers' Association during the 1979-83 Definitive Map Review. It is linked to claimed footpath Stansfield 'C' (considered in the next paper) and this connects with Wickhambrook footpath 10.

2. DOCUMENTARY EVIDENCE

| | | |
|---|---|---|
| Stansfield Tithe Map (1840) | .. | The footpath is not shown except by the parish boundary. |
| Depden Tithe Map (1839) | .. | The footpath is not shown except by the parish boundary. |
| Hodskinson's Map (1783) | .. | The footpath is not shown. |
| Greenwood's Map (1825) | .. | The footpath is not shown. |
| Bryant's Map (1826) | .. | The footpath is not shown. |
| Ordnance Survey Map 6" to 1 mile 2nd Edition (1905) | .. | The entire length of the route is depicted. The footpath is shown by a single dashed line with a break at the southern boundary of Clay Hall, and a single dashed line from Clay Hall to Depden Footpath 7. It is annotated FP in three places. Also shown is that immediately south of Clay Hall the footpath makes a right angle turn to the east and continues to Gatesbury Lane adjacent to a field boundary. |
| Ordnance Survey Map 25" to 1 mile 1st Edition (1884) | .. | This map shows the southern half of the route. The footpath is shown by a single dashed line adjacent to the field boundary, annotated FP. The 1st edition map showing the northern section of the route is not available. |
| Ordnance Survey Map 25" to 1 mile 2nd Edition (1904) | .. | This map shows the northern half of the route. The footpath is shown by a single dashed line adjacent to the parish boundary, annotated FP. There is a break at the southern boundary of Clay Hall and the rest of the claimed footpath from Clay Hall to Depden Footpath 7 is shown by double dashed lines. Also shown is that immediately south of Clay Hall the footpath makes a right angle turn to the east and continues to Gatesbury Lane. The 2nd edition map showing the southern part of the route is not available. |
| Stansfield District Valuer's Map c.1910 | .. | The land over which the routes runs is coloured pale orange and pale pink. No abatement is given for any right of way. |

Depden District Valuer's Map c.1910

The land over which the route runs is coloured pale mauve. No abatement is given for any right of way.

## 3. LANDOWNER CONSULTATIONS

3.1. Mr C E Wreathall has lived at Clay Hall, Depden since 1900. He states that no use of the claimed footpath has ever been made on foot, horseback, bicycle or by vehicle. Mr Wreathall also expressed concerns relating to the security and privacy of his property.

3.2. Mr J Wreathall of Bansteads Farm, Kirtling replied that years ago there used to be cottages in the area and the most direct route between the cottages was used. He states that the public regularly use a separate footpath which runs from Cordell Hall to Gatesbury Farm. [currently shown on the Definitive Map as Stansfield Footpath 8].

3.3. Mr H Wreathall of Gatesbury Farm replied that he had never seen the footpath used. He thought that it could be used on foot or horseback but would be unsuitable for vehicles.

3.4. Bankes Ashton are acting on behalf of Mr Slater and respond that, Mr Slater has never seen anyone using the footpath and anyone seen walking off the recognised footpaths which run over his land have been challenged and redirected. Since the end of the Second World War there has not been any physical sign of a footpath along the claimed route. Footbridges for access to woodland have been put in for the sole benefit of Mr Slater.

## 4. PARISH SURVEY AND HISTORY OF THE DEFINITIVE MAP

4.1. In the Stansfield parish survey documents the footpath is marked in very faint red pen and is unnumbered. There is no associated survey statement form for the claimed route. Other public rights of way claimed on the map are clearly marked in red pen and are numbered. The footpath is not claimed on the Depden Parish Survey map. The claimed footpath does not appear on the draft, provisional or first Definitive Map and there is no record of objection to its omission.

4.2. West Suffolk County Council started to review the Definitive Map in 1960 and wrote to the Parish Councils asking if they wished to reconsider their claimed public rights of way. The review has then held in abeyance for approximately five years until the County Council wrote to the Parish Council again. The claimed footpath is not mentioned in any correspondence with Stansfield or Depden parishes.

4.3. The footpath was not claimed in the 1973 Review. It was claimed by the Ramblers' Association during the 1979 Review. The claim was considered by the Rights of Way Review Panel on 16 September 1980 and was not recommended.

## 5. USER EVIDENCE

5.1. The County Council has not received any user evidence forms or any other evidence of use relating to this claim. Mr Andrews stated in a letter of 16 December 1997 that he was not in possession of any evidence relating to the route. A letter was sent to the Parish Councils on 26 November 1997 with a request for user information. Stansfield Parish Council replied on 9 December that the claimed footpath had been considered at a recent Parish Council meeting and that no one had any knowledge of the route. Comments have not been received from Depden Parish Council.

## 6. CONCLUSION

6.1. The Tithe Map and the three privately published maps do not show the claimed footpath, however these documents do not purport to show footpaths.

6.2. The Ordnance Survey Maps show the physical existence of the claimed footpath, and that a route continues to Gatesbury Lane as well as through Clay Hall. They cannot show whether public rights of way exist over the route.

4.26

6.3. The claimed footpath is marked in faint red pen on the Stansfield Parish Survey Map but as it is unnumbered and without an associated survey statement form the significance of this marking is unknown. The footpath has not been claimed in any subsequent review perhaps indicating that it is not known locally as a public right of way. This would be consistent with the lack of user evidence.

6.4. In the circumstances it is considered that there is insufficient evidence to show that public footpath rights subsist or are reasonably alleged to subsist.

K W STEVENS
County Secretary and Solicitor

P J THOMPSON
County Director of Environment
and Transport

Background Documents

Stansfield Tithe Map (1840)
Depden Tithe Map (1839)
Hodskinson's Map (1783)
Greenwood's Map (1825)
Bryant's Map (1826)
Ordnance Survey Map 6" to 1 mile 2nd Edition (1905)
Ordnance Survey Map 25" to 1 mile 1st Edition (1884)
Ordnance Survey Map 25" to 1 mile 2nd Edition (1904)
District Valuer's Map c.1910
Parish Survey Map
Letter to Parish Clerks on 11 August 1994 and 26 November 1997
Letter to Landowners on 5 October 1994 and 20 October 1994
Reply from Mr C Wreathall on 9 October 1994
Reply from Mr J Wreathall received on 18 October 1994
Reply from Mr H Wreathall on 4 November 1994
Letters to Bankes Ashton 11 August 1995 and 24 November 1997
File note of telephone conversation with Bankes Ashton 21 November 1997
Letter to Mr Andrews on 9 December 1997
Reply from Stansfield Parish Clerk on 9 December 1997
Reply from Mr Andrews on 16 December 1997
Letter from Bankes Ashton on 22 December 1997

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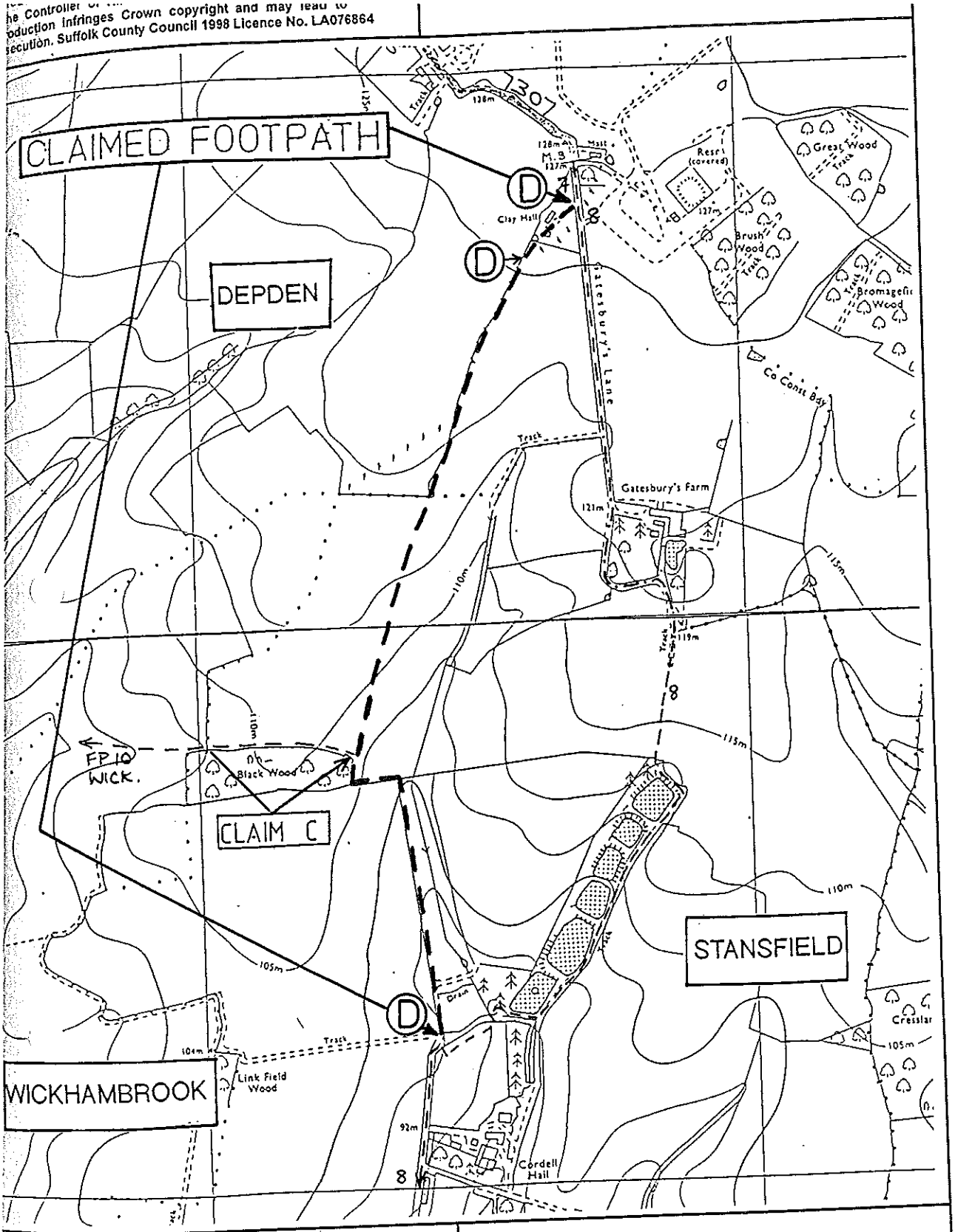


KEY

- FOOTPATH.
- BRIDLEWAY.
- R.U.P.P.
- BY WAY.
- PARISH bdy.

Scale 1:10000

NORTH
Grid North

**Suffolk County Council**

Environment and Transport

P. J. Thompson, MSc. CEng FICE
County Director of Environment & Transport
St. Edmund house, County Hall, Ipswich, Suffolk.

TITLE

# CLAIMED FOOTPATH ' D' STANSFIELD & DEPDEN

Suffolk County Council

**BS9**

**MMITTEE:** RIGHTS OF WAY SUB-COMMITTEE

**TE:** 26 JANUARY 1998

**LE:** CLAIMED FOOTPATH 'C' IN STANSFIELD

**THORSHIP:** COUNTY SECRETARY AND SOLICITOR AND
COUNTY DIRECTOR OF ENVIRONMENT AND TRANSPORT

**IN ISSUES:**

To consider the evidence relating to claimed Footpath 'C' in Stansfield.

**COMMENDATIONS:**

It is **RECOMMENDED** that the claim be rejected and the landowners and the Parish and Borough Councils be informed accordingly.

ontact Point: Ruth Egan (01473) 584134

nb/committee/reports/d1834

## BACKGROUND INFORMATION

### 1. INTRODUCTION

This claimed footpath in Stansfield forms a route along the northern edge of Black Wood. It runs in an easterly direction from near FP10 Wickhambrook at the Wickhambrook/Stansfield Parish boundary to another claimed footpath, Stansfield D, (considered in the previous paper) see attached map. The claim that the footpath is a continuation of Footpath 10 Wickhambrook was made by Mr J Andrews of the Ramblers' Association during the 1979-83 Definitive Map Review.

### 2. DOCUMENTARY EVIDENCE

| | | |
|---|---|---|
| Stansfield Tithe Map (1840) | .. | The footpath is not shown except by the field boundary. |
| Hodskinson's Map (1783) | .. | The footpath is not shown. |
| Greenwood's Map (1825) | .. | The footpath is not shown. |
| Bryant's Map (1826) | .. | The footpath is not shown. |
| Ordnance Survey Map 6" to 1 mile 2nd Edition (1905) | .. | The footpath is shown by a single dashed line adjacent to the field boundary. At the eastern end it joins another route running north/south. At the western end it continues in the Parish of Wickhambrook as a single dashed line annotated FP. |
| Ordnance Survey Map 25" to 1 mile 1st Edition (1884) | .. | The footpath is shown by a single dashed line adjacent to the field boundary. At the eastern end it joins another route running north/south. At the western end of it is a cul-de-sac. |
| District Valuer's Map c.1910 | .. | The land over which the route runs is coloured pale orange. No abatement for any right of way is given. |

### 3. LANDOWNER CONSULTATIONS

Mr J Slater of Cordell Hall, Stansfield, replied stating that he has lived at the Hall for seventy five years and has never known anyone to use the claimed footpath. Bankes Ashton also respond on behalf of Mr Slater that anyone seen walking on his land other than on a recognised footpath has been challenged and redirected. Since the end of the Second World War no physical sign of the claimed footpath has existed, any footbridges for access to woodland have been put in for the sole benefit of Mr Slater.

### 4. PARISH SURVEY AND HISTORY OF THE DEFINITIVE MAP

4.1. In the Parish Survey documents the claimed footpath is marked in very faint red pen but is not numbered. There is no associated survey statement form for the claimed route. Other claimed public rights of way are clearly marked on the map in red pen and are numbered. The claimed footpath does not appear on the draft, provisional or first definitive map and there is no record of objection to its omission.

4.2. Wickhambrook Parish Council claimed Footpath 10 in the survey documents. The footpath is described as running from Clopton Green to Black Wood. The Parish Council's grounds for believing Footpath 10 to be a public right of way were that it had been in use throughout living memory and connected with other well known paths in the Stansfield Parish.

West Suffolk County Council began reviewing the Definitive Map in 1960. Stansfield Parish Council advised on 24 January 1961 that following a Parish Council meeting they wished to extend an existing footpath and extinguish Footpaths 15 and 16. The Review was then held in abeyance for approximately five years. The County Council reactivated the Review and wrote to the Parish Council again. On 24 July 1965 the Parish Council replied that they wished to withdraw the letter of 24 January 1961 and accept the Definitive Map without any alterations. The claimed footpath is not mentioned in any correspondence.

The footpath was not claimed in the 1973 Review. It was claimed by the Ramblers' Association during the 1979 Review as a continuation of Wickhambrook Footpath 10. The claim was considered by the Rights of Way Review Panel on 16 September 1980 but was not recommended.

USER EVIDENCE

There is no user evidence available relating to this claim. Mr Andrews stated in a letter on 16 December 1997 that he was not in possession of any evidence relating to this route. A letter was sent to Stansfield Parish Council and Wickhambrook Parish Council on 6 November 1997. Stansfield Parish Council replied on 9 December 1997 that the claimed footpath had been considered at a recent parish meeting, and no one had any knowledge of the route. No comments have been received from Wickhambrook Parish Council.

CO' USION

The Tithe Map and the three privately published maps do not show the claimed footpath, however these documents do not purport to show footpaths. The Ordnance Survey Maps show the physical existence of the footpath but cannot show whether private or public rights of way exist over it.

The Finance Act 1910 documents did not show any abatement for a public right of way. This does not prove that one did not exist, rather that it was not recognised. This is consistent with Mr Slater's remarks and the lack of user evidence. The footpath was not claimed in any previous review perhaps indicating that it is not known locally as a public footpath.

The claimed footpath is marked in faint red pen on the parish survey map, but as it is unnumbered and there is not an associated statement form for the footpath it is not known what this signifies. Wickhambrook Parish Council claimed Footpath 10 in the survey documents on the grounds that it connected with other well known paths in Stansfield Parish. This offers evidence of some repute that the footpath is a public right of way.

In the circumstances it is considered that there is insufficient evidence to show public f ath rights subsist or are reasonably alleged to subsist.

K W STEVENS
County Secretary and Solicitor

P J THOMPSON
County Director of Environment
and Transport

Background Documents

Stansfield Tithe Map (1840)
Hodskinson's Map (1783)
Greenwood's Map (1825)
Bryant's Map (1826)
Ordnance Survey Map 6" to 1 mile 2nd Edition (1905)
Ordnance Survey Map 25" to 1 mile 1st Edition (1884)
District Valuer's Map c.1910
Stansfield Parish Map
Wickhambrook Parish Map

Letter to Parish Clerks on 11 August 1994 and 6 November 1997
Letters to landowners 1 September 1994, 4 October 1994 and 6 November 1997
Reply from Mr Slater 6 October 1994.
Reply from Stansfield Parish Clerk on 9 December 1997
Letter to Mr Andrews on 9 December 1997
Reply from Mr Andrews on 16 December 1997
Letter from Bankes Ashton on 22 December 1997

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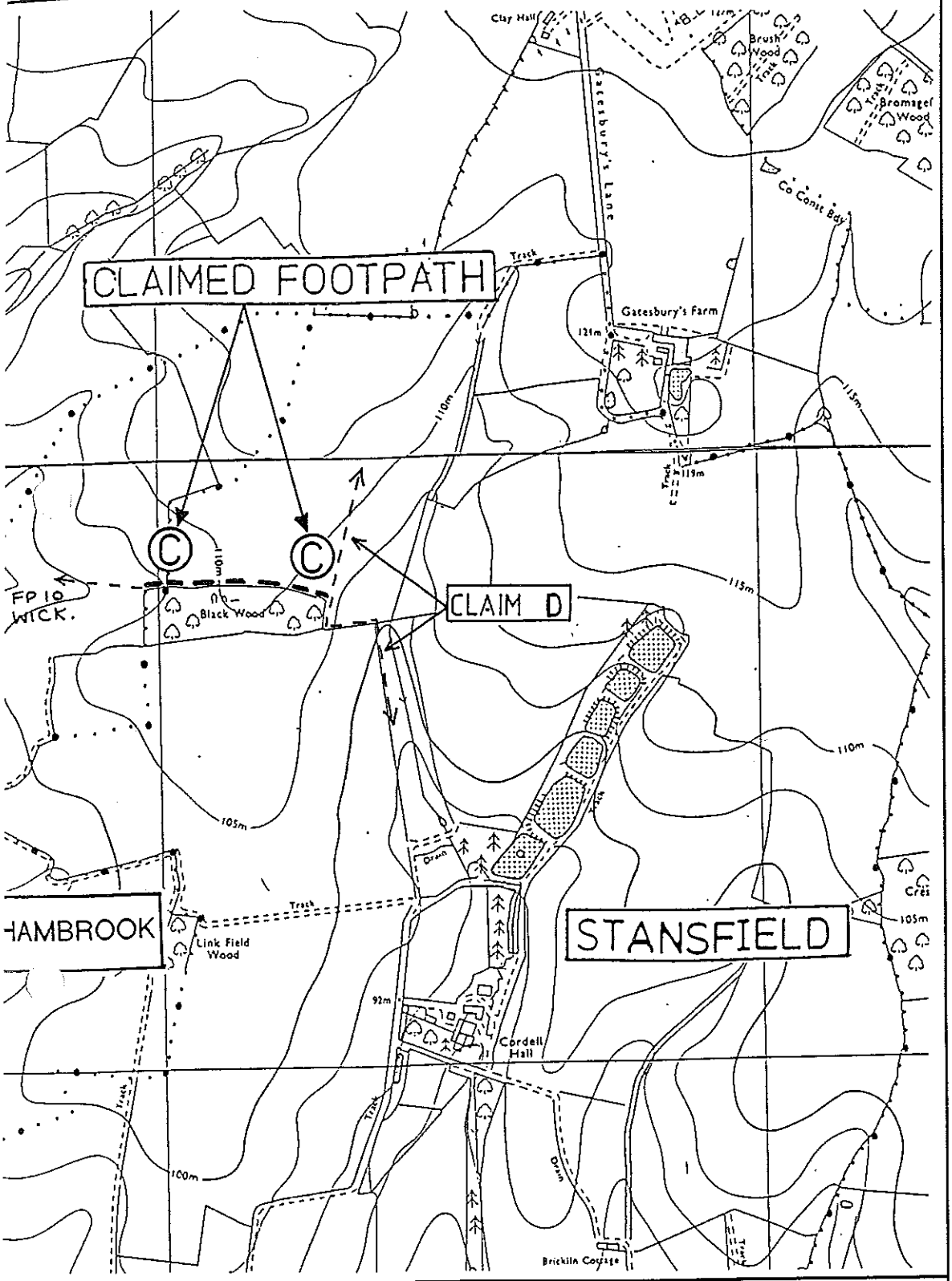


FOOTPATH.
BRIDLEWAY.
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PARISH bdy.

Scale 1:10000

NORTH
Grid North

uffolk County Council
Environment and Transport

P. J. Thompson, MSc. CEng FICE
County Director of Environment & Transport
St. Edmund house, County Hall, Ipswich, Suffolk.

TITLE

# CLAIMED FOOTPATH ' C'
# STANSFIELD