

Form CA17

Notice of landowner deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006

Herefordshire Council

An application to lodge a declaration under section 31(6) of the Highways Act 1980 has been made in relation to the land (or lands) described below and shown outlined in red on the accompanying map.

PLEASE NOTE:

This deposit may affect rights over the land described below. Deposits made under section 31(6) of the Highways Act 1980 may prevent deemed dedication of public rights of way over such land under section 31(1) of that Act. Please see guidance at <http://www.defra.gov.uk/rural/protected/greens/> for further information.

Description of the land(s):

The Birches & Upper Tack Craswall

Cusop

Hay-on-Wye

Hereford

HR2 9SX

And

Cross Lodge Meadow

Dorstone

Hereford

Name of the Parish, Ward or District in which the land is situated: Cusop and Dorstone

The deposit was submitted by H J Price-Greenow and was received by this authority on 16-Nov-18. The authority maintains a register of maps, statements and declarations deposited under section 31A of the Highways Act 1980.

This register can be accessed online at www.herefordshire.gov.uk or can be inspected free of charge at the address below at the times indicated below:

Balfour Beatty Living Places

Unit 3, Thorn Business Park

Rotherwas Industrial Estate

Hereford

HR2 6JT (between the 9.30-3.30 Mon-Fri)

Please telephone (01432) 349512 to ensure availability.

Signed on behalf of Herefordshire Council:



Name and Position of Signatory: Acting Assistant Director for Highways and Transport

Date: 26 November 2018



SCHEDULE 1

Regulation 2(2)(a)

Application Form

Form CA16

Application Form for deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006

Please read the following guidance carefully before completing this form

1. *Guidance relating to completion of this form is available from <https://www.gov.uk/town-and-village-greens-how-to-register>. Please refer to these separate notes when completing this form.*
2. *Parts A and F must be completed in all cases.*
3. *The form must be signed and dated by, or by a duly authorised representative of, every owner of land to which the application relates who is an individual, and by the secretary or some other duly authorised officer of every owner of land to which the application relates which is a body corporate or an unincorporated association.*
4. *In the case of land in joint ownership all the joint owners must complete paragraphs 2 and 3 of Part A and complete and sign the application in Part F, unless a duly authorised representative completes and signs the form on behalf of all of the owners of the land. Paragraph 3 should be completed in full to clearly explain the capacity of each applicant e.g. trustee, landowner's managing agent, executor.*
5. *'Owner' is defined in section 61(3) of the Commons Act 2006 and section 31(7) of the Highways Act 1980 and means, broadly, a legal owner of the freehold interest in the land.*
6. *Where the application relates to more than one parcel of land, a description of each parcel should be included in Paragraph 4 of Part A and the remainder of the form should be completed to clearly identify which statement and/or declaration relates to which parcel of land. This may require the insertion of additional wording. See separate notes for further guidance. Multiple parcels of land should be clearly identified by coloured edging on any accompanying map.*
7. *Where a statement or declaration requires reference to colouring shown on an accompanying map or previously lodged map, the colouring must be clearly specified and must match that shown on the relevant map. For example, if a footpath is specified in a Part C declaration as shown coloured brown, the accompanying map or previously deposited map referred to must reflect that colouring.*
8. *An application must be accompanied by an ordnance map, or (in respect of declarations under Part C or statements under Part D of this form) refer to a map previously deposited in accordance with the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declaration) (England) Regulations 2013 or (if deposited before 1st October 2013) in accordance with section 31(6) of the Highways Act 1980. Any accompanying map must be an ordnance map at a scale of not less than 1:10,560 showing the boundary of the land to which the application relates in coloured edging.*
9. *An application must be accompanied by the requisite fee – please ask the appropriate authority for details.*

10. 'Appropriate authority' means (a) in relation to a map or statement deposited or declaration lodged under section 31(6) of that Act, an appropriate council (as defined in section 31(7) of the Highways Act 1980); and (b) in relation to a statement and map deposited under section 15A(1) of the 2006 Act, a commons registration authority (defined in section 4 of the Commons Act 2006 and section 2 of the Commons Registration Act 1965). In practice, the appropriate council and commons registration authority will usually be the same body.

PART A: Information relating to the applicant and land to which the application relates
(all applicants must complete this Part)

1. Name of appropriate authority to which the application is addressed:

Herefordshire County Council

2. Name and full address (including postcode) of applicant:

H J Price-Greenow
2 Yew Tree Court
Poplar Road
Clehonger
Hereford. HR2 9SX

3. Status of applicant (tick relevant box or boxes):

I am

- (a) the owner of the land(s) described in paragraph 4.
(b) making this application and the statements/declarations it contains on behalf of [insert name of owner] who is the owner of the land(s) described in paragraph 4 and in my capacity as [insert details].

4. Insert description of the land(s) to which the application relates (including full address and postcode):

The Birches & Upper Tack Craswall
Cusop
Hay-On-Wye
Hereford. HR3 5RN

Cross Lodge Meadow
Dorstone
Hereford

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): The Birches SO 2573 3809, Cross Lodge Meadow SO 3241 8532

6. This deposit comprises the following statement(s) and/or declarations (~~delete Parts B, C, or D where not applicable~~):

PART B: Statement under section 31(6) of the Highways Act 1980

[I am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [insert colouring] on the map accompanying this statement.
(~~delete wording in square brackets as appropriate and/or insert information as required~~)

[Ways shown [insert colouring] on the accompanying map are byways open to all traffic.]
[Ways shown [insert colouring] on the accompanying map are restricted byways.]
[Ways shown [insert colouring] on the accompanying map are public bridleways.]
[Ways shown [insert colouring] on the accompanying map are public footpaths.]

No [other] ways over the land shown [insert colouring] on the accompanying map have been dedicated as

highways:

(delete wording in square brackets as appropriate and/or insert information as required)

PART C: Declaration under section 31(6) of the Highways Act 1980

1. [I [H J Price-Greenow] is] the owner of the land described in paragraph 4 of Part A of this form and shown [Red] on the map [accompanying this declaration/lodged with [Herefordshire] Council on [16th, October 2018]].

2. On the [18th] day of [December, 2008] [I/[H J Price-Greenow] predecessor in title [H J Price-Greenow] deposited with [Herefordshire] Council, being the appropriate council, a statement accompanied by a map showing [my/[H J Price-Greenows]] property [Red] which stated that:

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as byways open to all traffic]

[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as restricted byways]

[the ways shown [Green] on that map [and on the map accompanying this declaration] had been dedicated as bridleways]

[the ways shown [Purple] on that map [and on the map accompanying this declaration] had been dedicated as footpaths]

[no [other] ways had been dedicated as highways over [my/[H J Price-Greenows]] property].

[3. On the [16th] day of [October, 2018] [I/[H J Price-Greenow] predecessor in title [H J Price-Greenow]] deposited with [Herefordshire] Council, being the appropriate council, a declaration dated [18th, December, 2008], stating that no additional ways [other than those marked in the appropriate colour on the map accompanying that declaration] had been dedicated as [byways open to all traffic] [restricted byways] [bridleways] [footpaths] since the deposit of the statement referred to in paragraph 2 above.]

4. No additional ways have been dedicated over the land [Red] on the map [accompanying this declaration/referenced in paragraph 1 above] since the statement dated [18th, December, 2008] referred to in paragraph 2 above [since the date of the declaration referred to in paragraph 3 above] [other than those [byways open to all traffic] [restricted byways] [bridleways] [footpaths] marked in the appropriate colour on the map accompanying this declaration] and at the present time [I/[H J Price-Greenow]] [has] no intention of dedicating any more public rights of way over [my] property.

PART D: Statement under section 15A(1) of the Commons Act 2006

[I am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [insert colouring] on the map [accompanying this statement/deposited with [insert name] Council on [insert day, month, year]].

[I/[insert name of owner]] [wish/wishes] to bring to an end any period during which persons may have indulged as of right in lawful sports and pastimes on the whole or any part of the land shown [insert colouring] on the [accompanying map/map referenced above].
(delete wording in square brackets as appropriate and/or insert information as required)

PART E: Additional information relevant to the application
(insert any additional information relevant to the application)

There are no rights of way whatsoever over Cross Lodge Meadow (SO 3241 8532)

PART F: Statement of Truth
(all applicants must complete this Part)

WARNING: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS FORM ARE TRUE

Signature (of the person making the statement of truth):

Print full name: H J Price-Greenow

Date: 16-10-2018

You should keep a copy of the completed form

Data Protection Act 1998 - Fair Processing Notice

The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

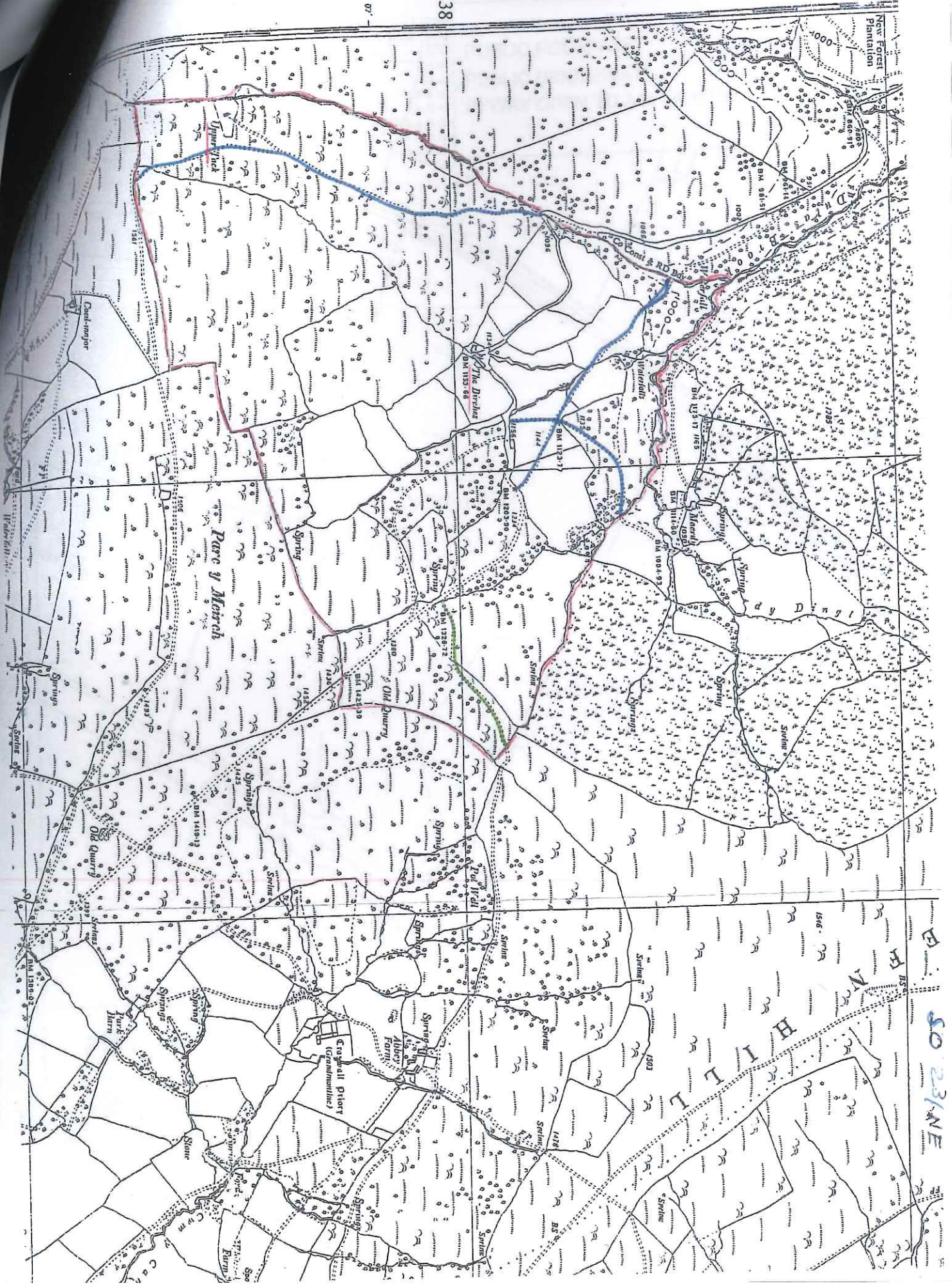
The appropriate authority (see explanation of definition in above guidance notes) in England is the data controller in respect of any personal data that you provide when you complete this form.

The information that you provide will be used by the appropriate authority in its duties to process applications to deposit statements, maps and declarations under section 31(6) the Highways Act 1980 and statements under section 15A(1) of the Commons Act 2006. The information you provide will also be used by the appropriate authority in its duty to update the registers in which details of such deposits are recorded under the Dedicated Highways (Registers under Section 31A of the Highways Act 1980) (England) Regulations 2007 and the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013.

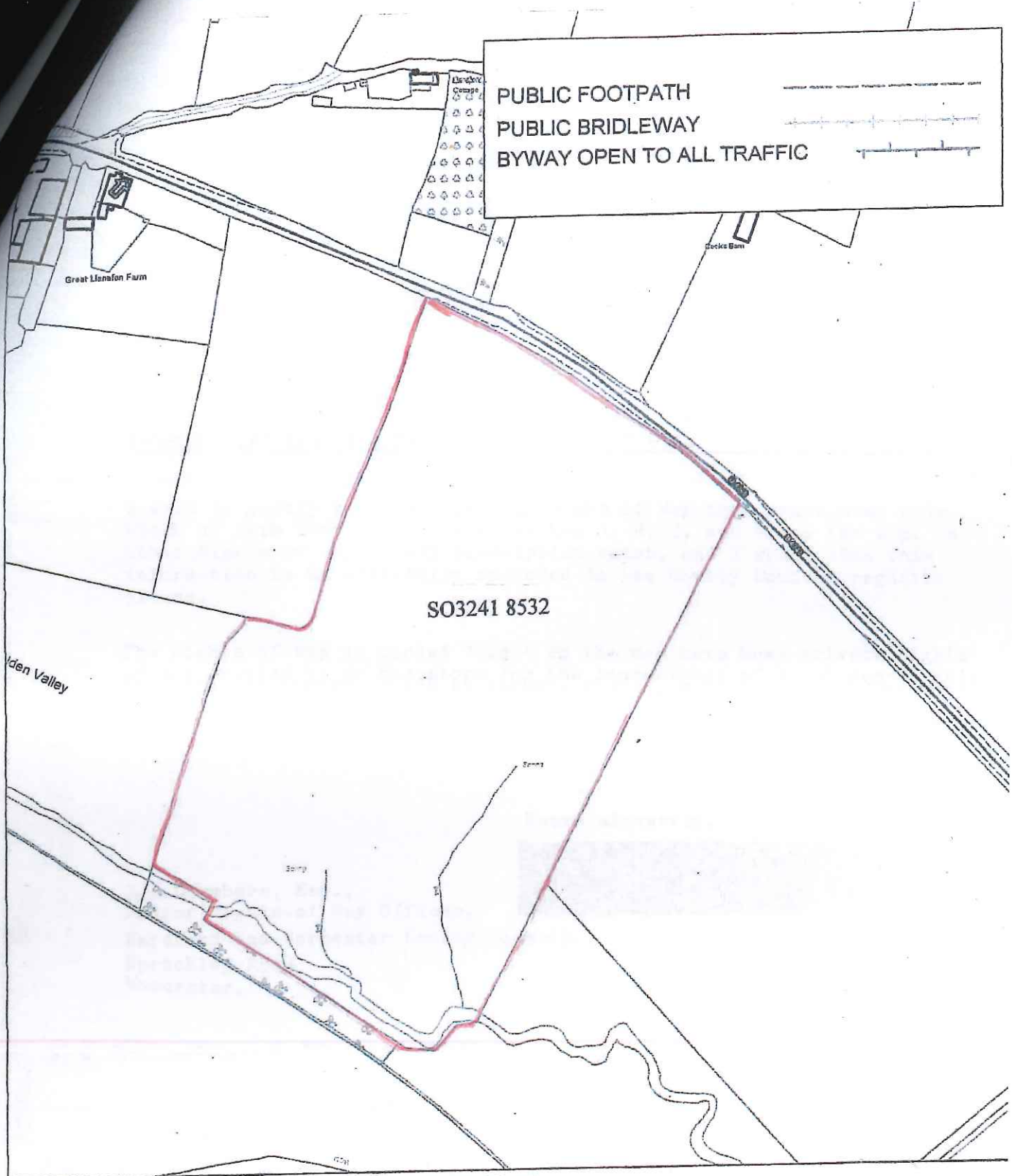
The appropriate authority is required by the legislation above to maintain a register which holds information provided in this form, which can be inspected online or in person by members of the public on request. It may also be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000. However, the appropriate authority will not permit any unwarranted breach of confidentiality nor will they act in contravention of their obligations under the Data Protection Act 1998.

BRECKNOCKSHIRE
BRECON AND RADNOR ED CONST
BRECON ADMIN C
HAY RURAL PH

38



SO 23/NE



PUBLIC FOOTPATH
 PUBLIC BRIDLEWAY
 BYWAY OPEN TO ALL TRAFFIC

SO3241 8532

LOCATION PLAN - Cross Lodge Meadow
 SO3241 8532

Herefordshire Council
 Public Rights of Way
 PO Box 41
 Leominster
 HR6 0ZA
 Tel.: (01432) 260000
 Fax.: (01432) 260579



SCALE 1:2500

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MPR/4412

LC

Environmental Services Department	
Ref No	23 NOV 1995
For Action	Copy for Information
MPH	
JR	
SJW	
TBT	
M/A	
SJ	

P.R.O.W. SECTION
23 NOV 1995
HEREFORD & WORCESTER

The Birches,
Cusop,
May-on-Wye,
Hereford.
HR3 5RN
18th November, 1995

Dear Mr. Chambers,

RE. MY FARM LAND KNOWN AS "THE BIRCHES" AND "THE TACK" SHOWN ON THE ENCLOSED MAP WITHIN A THICK BLACK BOUNDARY LINE

I wish to notify you that the only Rights of Way that exist over this block of farm land are the ones marked 1, 2, 3, and 4, on the map. No other Rights of Way of any description exist, and I would like this information to be officially recorded in the County Council register please.

The Rights of Way as marked 1 to 4 on the map have been private Rights of Way granted by my ancestors for the convenience of local people only providing shortened routes to market, church, school. etc.

No authority has ever been given for the general public to use these paths.

Yours sincerely,

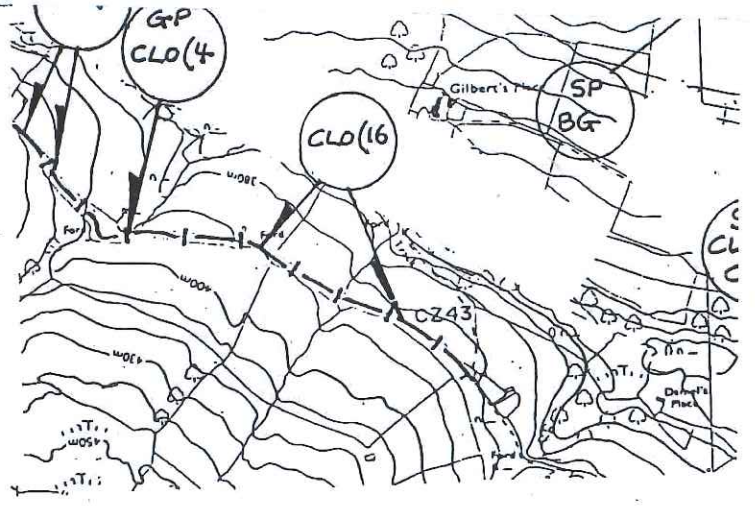


L.H.Chambers, Esq.,
Senior Rights of Way Officer,
Hereford and Worcester County Council,
Spetchley Road,
Worcester.

WS022

ABBREVIATIONS

- SR STILES ROADSIDE
- SO STILES OFF ROAD
- CS CROSS STEP
- SP SIGN POST
- WP WAYMARKING POST
- DC DITCH CROSSING
- FB4 FOOTBRIDGE
- FB5 FOOTBRIDGE
- FB7 FOOTBRIDGE
- BB BRIDLEWAY BRIDGE
- KG KISSING GATE
- BG BRIDLEWAY GATE
- WG WICKET GATE
- HP HAND POST
- HR HAND RAIL
- STP STEP KIT
- CLH CLEARANCE HEDGE
- CLU CLEARANCE UNDERGROWTH
- CLO CLEARANCE OVERGROWTH
- FS3 FIELD GATE
- GP GATE POST
- RG RAIL GATE



IN METRES

LONG CUSOP CP
3° 05' W 26

DISTRICT MID AND WEST WALES EURO CONST BRECON AND RADNOR CC CONIST POWYS COUNTY HAY RURAL C (6) HAY RURAL No 1 ED

