

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 Council

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

*Aubrey Greene, Ivington Park, Leominster, Herefordshire HR6 0JX
ag@ivingtonpark.com [REDACTED]*

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):

Ivington Park Farm, Camp Farm, Brierley Woods

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known):

SO482549

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

C and D

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 am/~~insert name of owner~~ 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 [28th September 2006]. (~~delete wording in square brackets as appropriate and/or insert information as required~~)

2. On the [~~insert day~~] day of [~~insert month, year~~] [I/my/~~insert name of owner's~~] predecessor in title [~~insert name~~] deposited with [~~insert name~~] Council, being the appropriate council, a statement accompanied by a map showing [my/~~insert name of owner's~~] property [~~insert colouring~~] 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 [~~insert colouring~~] on that map [and on the map accompanying this declaration] had been dedicated as bridleways}

{the ways shown [~~insert colouring~~] 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/~~insert name of owner's~~] property}. (~~delete wording in square brackets as appropriate and/or insert information as required~~)

[3. On the [28th] day of [September 2006] [I/my/~~insert name of owner's~~] predecessor in title [~~insert name~~] deposited with [~~Herefordshire~~] Council, being the appropriate council, a declaration dated [28th September 2006], 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.] (~~delete if not applicable and delete wording in square brackets as appropriate and/or insert information as required~~)

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 [~~28th September 2006~~] 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/~~insert name of owner~~] [have/has] no intention of dedicating any more public rights of way over [my/the] property. (~~delete wording in square brackets as appropriate and/or insert information as required~~)

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 [~~red~~] on the map [accompanying this statement/deposited with [~~Herefordshire~~] Council on [28th September 2006]].

[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 [~~red~~] 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)

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: AUBREY BASIL GREENE

Date: 26 - 09 - 2016

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.

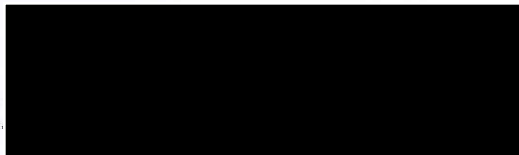


To: County of Herefordshire District Council

STATEMENT PURSUANT TO SECTION 31(6) HIGHWAYS ACT 1980

On the 28th day of September 2006 I wish to deposit with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which states that the ways coloured brown on the said plan and the plan accompanying this declaration have been dedicated as highways with vehicular status, the ways coloured green on the said plan and on the plan accompanying this declaration have been dedicated as bridleways; the ways coloured purple on the said plan and on the plan accompanying this declaration have been dedicated as footpaths; no other ways have been dedicated as highways over the property.

Signed:



Name:

AUBREY B GREENE
.....
.....
.....



STATUTORY DECLARATION SECTION 31 (6) OF THE HIGHWAYS ACT 1980

I (landowner) AUDREY B GREENE DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. I am and have been since (day, month, year) 13 / 11 / 2002 the owner of the land known as (name of farm, etc) IVINGTON PARK, CAMP FARM & BRIERLEY HOODS more particularly delineated on the plan accompanying this declaration and thereon edged red.

2. On the (day) 28th day of (month, year) September 2006 I (or my predecessor in title (name) [redacted]) deposited with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that ~~the ways coloured brown on the said plan and on the plan accompanying this declaration had been dedicated as highways with vehicular status~~; [the ways coloured green on the said plan and on the plan accompanying this declaration had been dedicated as bridleways]; [the ways coloured purple on the said plan and on the plan accompanying this declaration had been dedicated as footpaths]; [no [other] ways had been dedicated as highways over my property].

3.* ~~On the (day) day of (month, year) (or my predecessor in title (name)) deposited with the County of Herefordshire District Council, being the appropriate Council, a statutory declaration dated (day, month, year) stating that no additional ways [other than those marked in the appropriate colour on the plan accompanying this declaration] had been dedicated as [highways with vehicular status] [bridleways] [footpaths] since the deposit of the Statement referred to in 2 above.~~

4.** ~~No additional ways have been dedicated over the land edged red on the plan accompanying this declaration since the statement dated (day, month, year) referred to in 2 above [since the date of the statutory declaration referred to in 3 above] [other than those (highways with vehicular status) (bridleways) (footpaths) marked in the appropriate colour on the plan accompanying this declaration]~~

* Delete paragraph 3 if submitting Statement and Statutory Declaration, of Section 31(6) Highways Act 1980 at the same time.
** Delete paragraph 4 if this is the first Statement and Statutory Declaration, of Section 31(6) Highways Act 1980.

AND I MAKE this solemn declaration on the (day) 28th day of (month, year) September 2006 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at (address) 6 King Street
Hereford

Signature of landowner

Before me (M. R. SPEIGHT)
(Commissioner for Oaths or a Justice of the Peace or Solicitor)

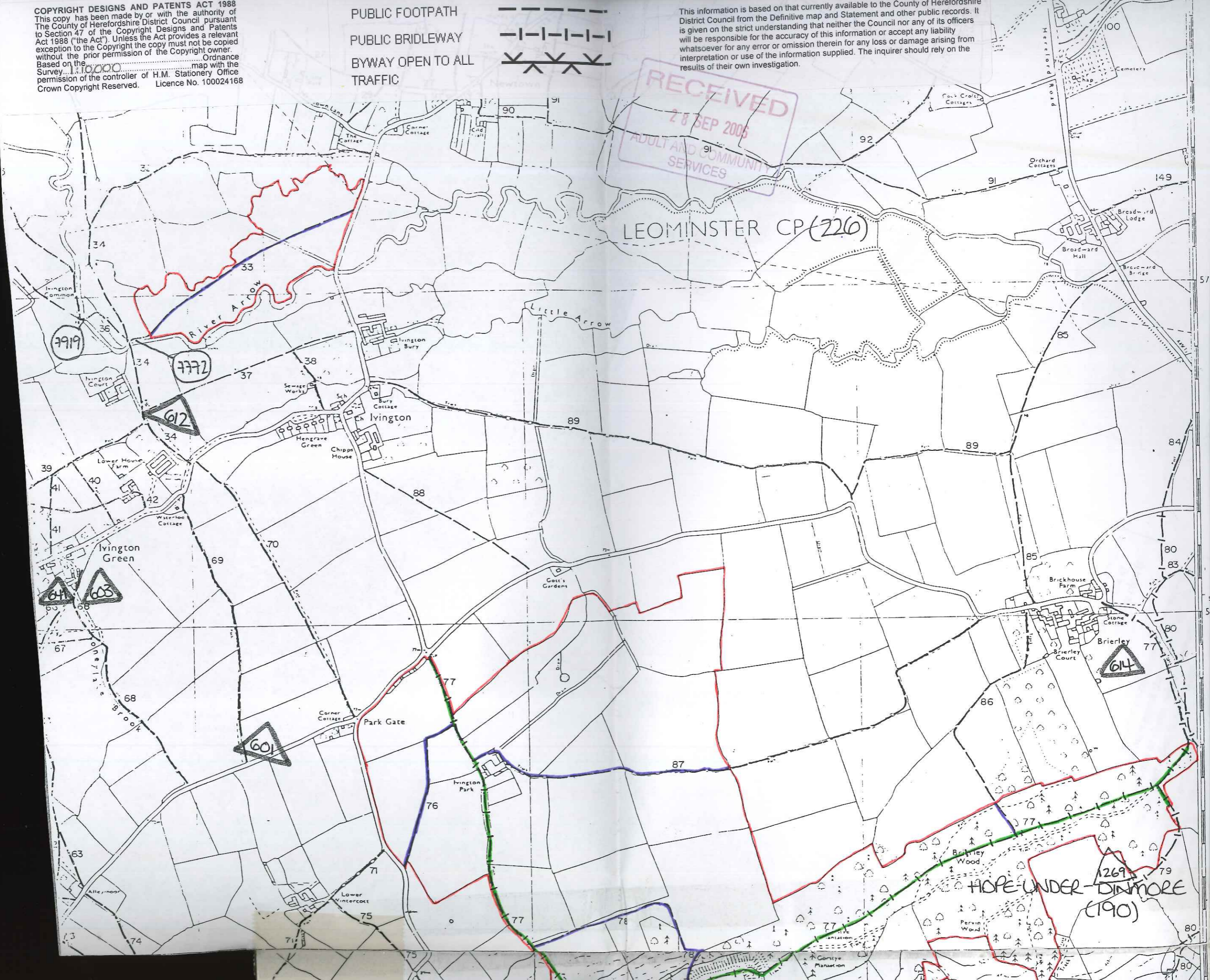
T. A. MATTHEWS & CO
SOLICITORS
8 & 7 KING STREET
HEREFORD HR4 9RS

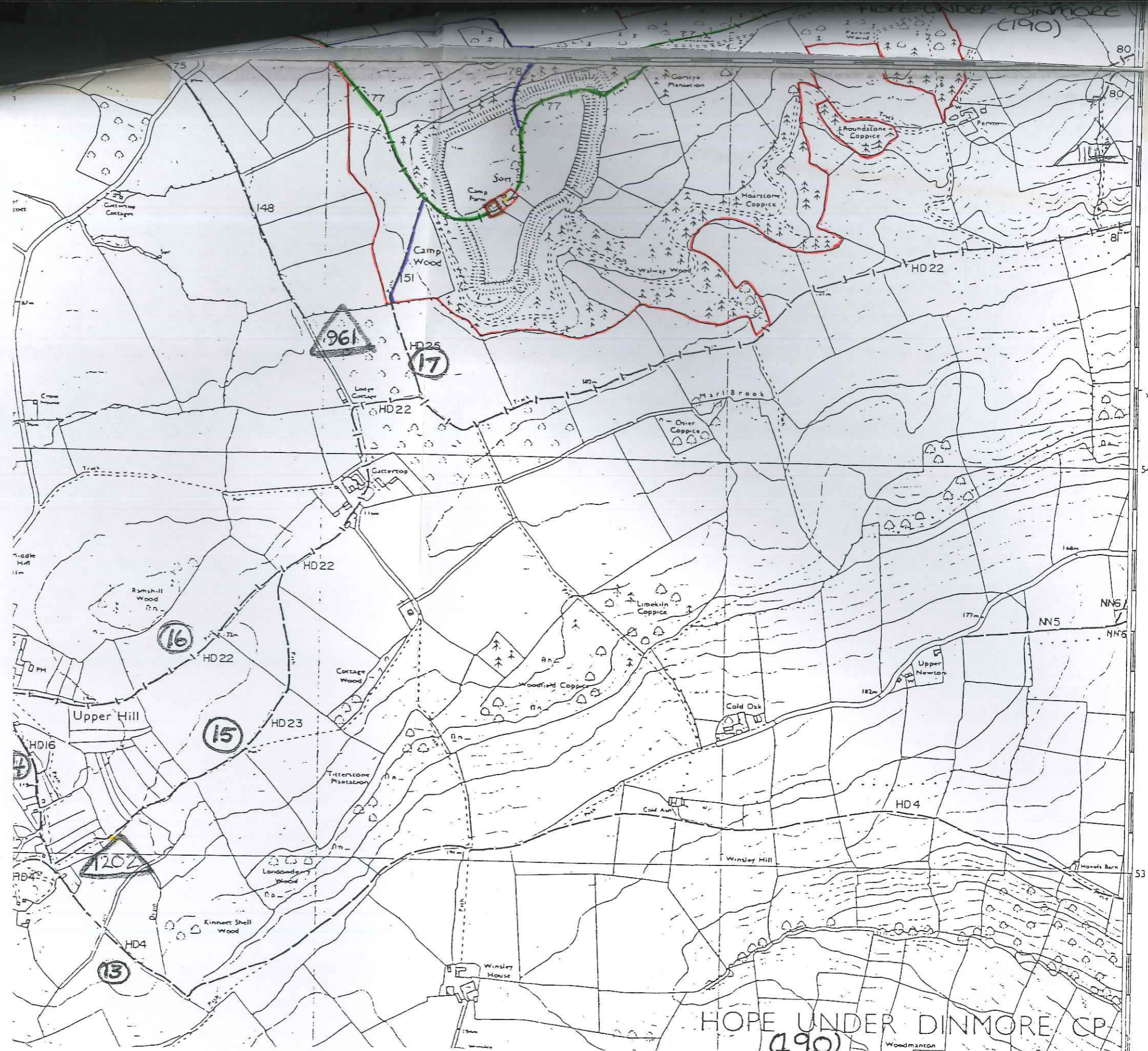
COPYRIGHT DESIGNS AND PATENTS ACT 1988
This copy has been made by or with the authority of the County of Herefordshire District Council pursuant to Section 47 of the Copyright Designs and Patents Act 1988 ("the Act"). Unless the Act provides a relevant exception to the Copyright the copy must not be copied without the prior permission of the Copyright owner.
Based on the Ordnance Survey 1:10000 map with the permission of the controller of H.M. Stationery Office
Crown Copyright Reserved. Licence No. 100024168

PUBLIC FOOTPATH
PUBLIC BRIDLEWAY
BYWAY OPEN TO ALL TRAFFIC

This information is based on that currently available to the County of Herefordshire District Council from the Definitive map and Statement and other public records. It is given on the strict understanding that neither the Council nor any of its officers will be responsible for the accuracy of this information or accept any liability whatsoever for any error or omission therein for any loss or damage arising from interpretation or use of the information supplied. The inquirer should rely on the results of their own investigation.

RECEIVED
28 SEP 2005
ADULT AND COMMUNITY SERVICES
LEOMINSTER CP (226)





LEOMINSTER CP
NEWTON CP

HOPE UNDER DINMORE CP
(190)



3/2006

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 and deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the 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. Deposits made under section 15A(1) of the Commons Act 2006 may affect the ability to register such land as a town or village green under section 15 of that Act. Please see guidance at <http://www.defra.gov.uk/rural/protected/greens/> for further information.

Description of the lands: Ivington Park Farm, Camp Farm, Brierley Woods
Leominster
Hereford
HR6 0JX

Name of the Parish, Ward or District in which the land(s) is situated: Leominster and Hope-Under-Dinmore

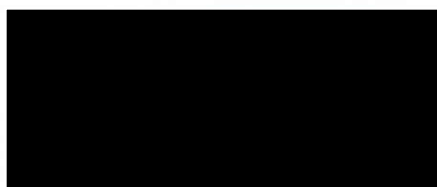
The deposit was submitted by Aubrey Greene and was received by this authority on 27th of September 2016.

The authority maintains a register of maps, statements and declarations deposited under section 31A of the Highways Act 1980 and section 15B of the Commons Act 2006.

This register can be accessed online at <https://www.herefordshire.gov.uk/transport-and-highways/footpaths-byways-and-bridleways/definitive-map-and-statements>
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, Hereford, HR2 6JT.
Please telephone (01432) 349512 to ensure availability.

Signed on behalf of Herefordshire Council:



Name and Position of Signatory: Assistant Director Environment and Place.

Date: 6th October 2016