

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:

Surrey County Council

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

James McFarlane (Savills UK Ltd) on behalf of the Trustees of the James Leaver 2003 Settlement and The Iona Turner 2003 Settlement
74 High Street
Sevenoaks
Kent
TN13 1JR

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 The Trustees of the James Leaver 2003 Settlement and The Iona Turner 2003 Settlement who are the owner of the land described in paragraph 4 and in my capacity as Agent.

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

Land at Knott Park
Oxshott
Surrey
KT11 2SN

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

TQ139 596

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

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

The Trustees of the James Leaver 2003 Settlement and the Iona Turner 2003 Settlement are the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map lodged with Surrey County Council on 12th April 2013.

On the 28th March 2013 The Trustees of the James Leaver 2003 Settlement and the Iona Turner 2003 Settlement deposited with Surrey County Council, being the appropriate council, a declaration dated 12th April 2013, stating that no additional ways had been dedicated since the deposit of the statement deposited 22nd March 2013.

No additional ways have been dedicated over the land edged red on the map accompanying this declaration and referenced in paragraph 1 above since the date of the declaration referred to in above and at the present time The Trustees of the James Leaver 2003 Settlement and the Iona Turner 2003 Settlement have no intention of dedicating any more public rights of way over the property.

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

None

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: James McFarlane

Date: 6th April 2023

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.

**STATUTORY DECLARATION
SECTION 31(6), Highways Act 1980**

I **Elaine Leaver (Trustee)**, DO SOLEMNLY AND SINCERELY DECLARE as follows:-

1. The Trustees of the James Leaver 2003 Settlement and the Iona Turner 2003 Settlement have been since the 3 March 2003 the owners of the land known as Knott Park, Oxshott, Surrey more particularly delineated on the plan accompanying this declaration and thereon edged in **red**.
2. On the **28th day of March 2013** I deposited with Surrey County Council, being the appropriate Council a statement accompanied by a plan delineating the property by red edging, which stated that the way coloured purple on the said plan and on the plan accompanying this declaration had been dedicated as a footpath (see attached copy)
3. No additional ways have been dedicated over the land edged red on the plan accompanying this declaration since the statement dated **22 March 2013** referred to in paragraph 2 above other than those footpaths coloured on the plan accompanying this declaration.

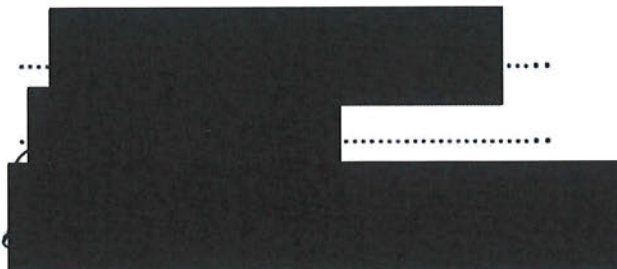
AND I MAKE this solemn declaration on the^{12th} day of April 2013 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

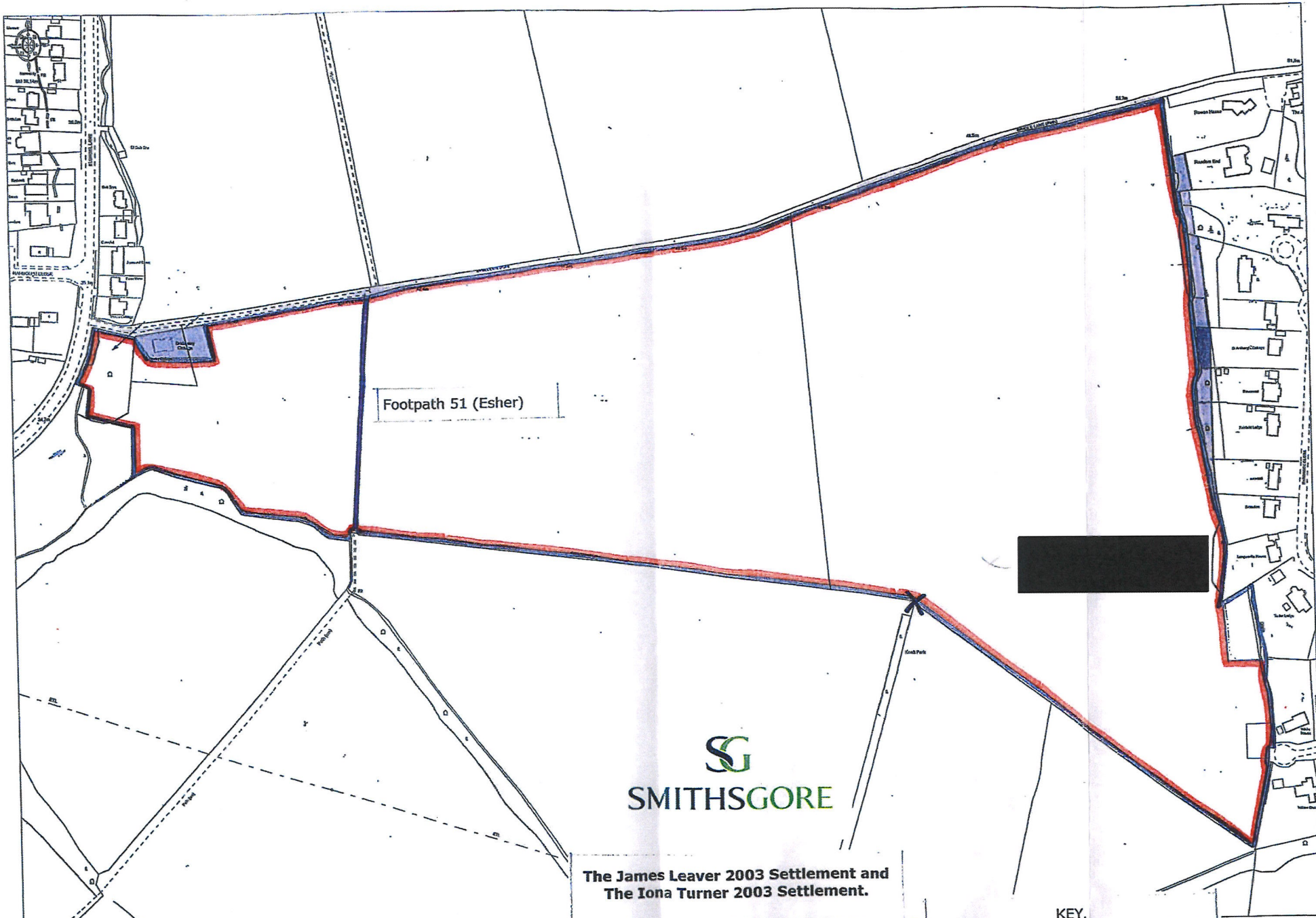
Declared at [address]

Paul Hills & Co Solicitors
1, Kingshor Parade
East Wittering
West Sussex PO20 6BJ

Signature of Trustee [owner]

Before me [~~Commissioner
For Oaths or a Justice of the
Peace or Solicitor~~]





Footpath 51 (Esher)



**The James Leaver 2003 Settlement and
The Iona Turner 2003 Settlement.**

Land At Knott Park, Oxshott, Surrey.

Scale 1:2,500 March 2013.

KEY.
Extent of ownership shown edged red.
Public footpaths shown in purple.

Paul Hills & Co Solicitors
1, Kingsmead Parade
East Wittering
West Sussex PO20 8BJ