

SCHEDULE 1 Regulation 2(2)(a)

Application Form

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| Description of Land: | LAND SURROUNDING MONKS HILL HOUSE, CHARLES HILL, TILFORD |
| Reference number: | 31(6)-J-19-05 |

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. Further guidance relating to completion of this form is available from

<http://www.defra.gov.uk/rural/protected/greens/>.

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.

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 applicants:

DAVID MERRICK-WILLSON and DARRELL SUZANNE MERRICK-WILLSON
Both at: MONKS HILL HOUSE, CHARLES HILL, TILFORD,
FARNHAM, SURREY, GU10 2AJ

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

WE ARE

(a) the OWNERS of the land 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 to which the application relates (including full address and postcode):

THE GARDEN, PADDOCKS AND WOODLAND WHICH
COMPRISE THE GROUNDS SURROUNDING MONKS HILL HOUSE
AND LODGE AT CHARLES HILL, TILFORD, FARNHAM, SURREY
GU10 2AJ - SEE AREA OUTLINED GREEN ON THE ATTACHED SITE
PLAN.

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): 881449 (MONKS HILL HOUSE)

6. This deposit comprises the following statement(s) and/or declarations (tick all that apply):

Part B (Highways Statement)

Part C (Highways Declaration)

Part D (Landowner Statement)

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

WE ~~DARRELL SUZANNE MERRICK-WILLSON~~ and
[~~DAVID MERRICK-WILLSON~~..... [~~insert name of owner~~] ARE the OWNERS of the
land described in paragraph 4 of Part A of this form and shown edged in
~~GREEN~~..... [~~insert colouring~~] on the map accompanying this statement.

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

[Ways shown..... ~~NONE EXIST~~ [~~insert colouring~~] on the accompanying map are
byways open to all traffic.]

[Ways shown ... ~~NONE EXIST~~... [~~insert colouring~~] on the accompanying map are
restricted byways.]

[Ways shown ... ~~NONE EXIST~~... [~~insert colouring~~] on the accompanying map are
public bridleways.]

[Ways shown... ~~NONE EXIST~~... [~~insert colouring~~] on the accompanying map are
public footpaths.]

No [other] ways over the land shown edged in ~~GREEN~~..... [~~insert colouring~~] on
the accompanying map have been dedicated as highways.

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

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

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

2. On the [insert day] day of [insert month, year] [I, [insert name of owner's] /my 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 edged in [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 [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 **declaration** dated [*insert day, month, year*],
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 edged in
[*insert colouring*] on the map [accompanying this declaration/referenced in paragraph
1 above] since the statement deposited on [*insert day,
month, year*] 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, [insert name of owner] am/is] the owner of the land described in paragraph 4 of Part A of this form and shown edged in [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 edged in [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

The land in question (edged green on the accompanying site plan), is fenced, although in some areas it is in need of repair or replacement - which is ongoing. There is also extensive signage along the boundaries stating that it is 'Private Woodland' or 'Private - No Public Right of Way'. However, this has not stopped people trespassing: fencing is being broken; signs are being removed or destroyed; and, in some areas, the ground is being re-configured to create mountain bike trails. All this amounts to criminal damage and, as such, has been reported to the Police - the Rural Crime Officer with Waverley Borough Policing Team.

In addition, we are concerned about the potential fire risk from the unauthorised use of our woodland - witness the recent devastating fire at Thursley Common which was, reportedly, started by a disposable barbecue. We too, have already intercepted one person looking to use the illegal bike trails for his son's birthday party, possibly using barbecues as well. In view of the number of houses, including ours, in and around the wooded areas comprising Charles Hill, Crooksbury Hill and Crooksbury Common, the consequences of a fire do not bear thinking about.

We have already ascertained that there are no existing Public Rights of Way across our land: in essence, we simply want to stop the unauthorised use of our private garden, paddocks and woodland by walkers, runners mountain bikers and horse riders. In the recent past we have also had to contend with motor cycles but, thankfully, this is not currently a problem.

Finally, we would just like to point out that we are in no way preventing anybody from accessing Crooksbury Common or Crooksbury Hill, as there are other footpaths and bridleways leading to these areas that do not involve trespassing over our land.

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.

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

SIGNATURES (of the PERSONS making the statement of truth):

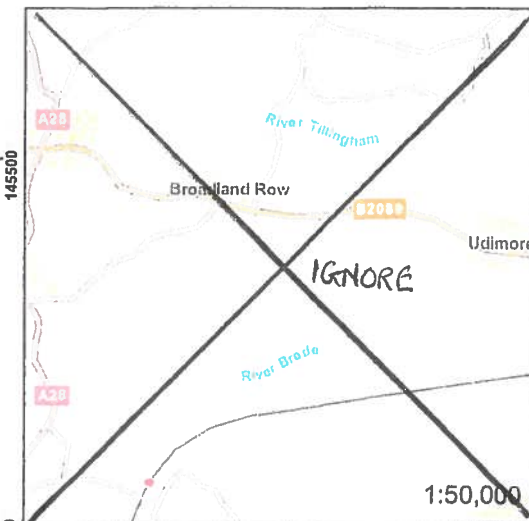
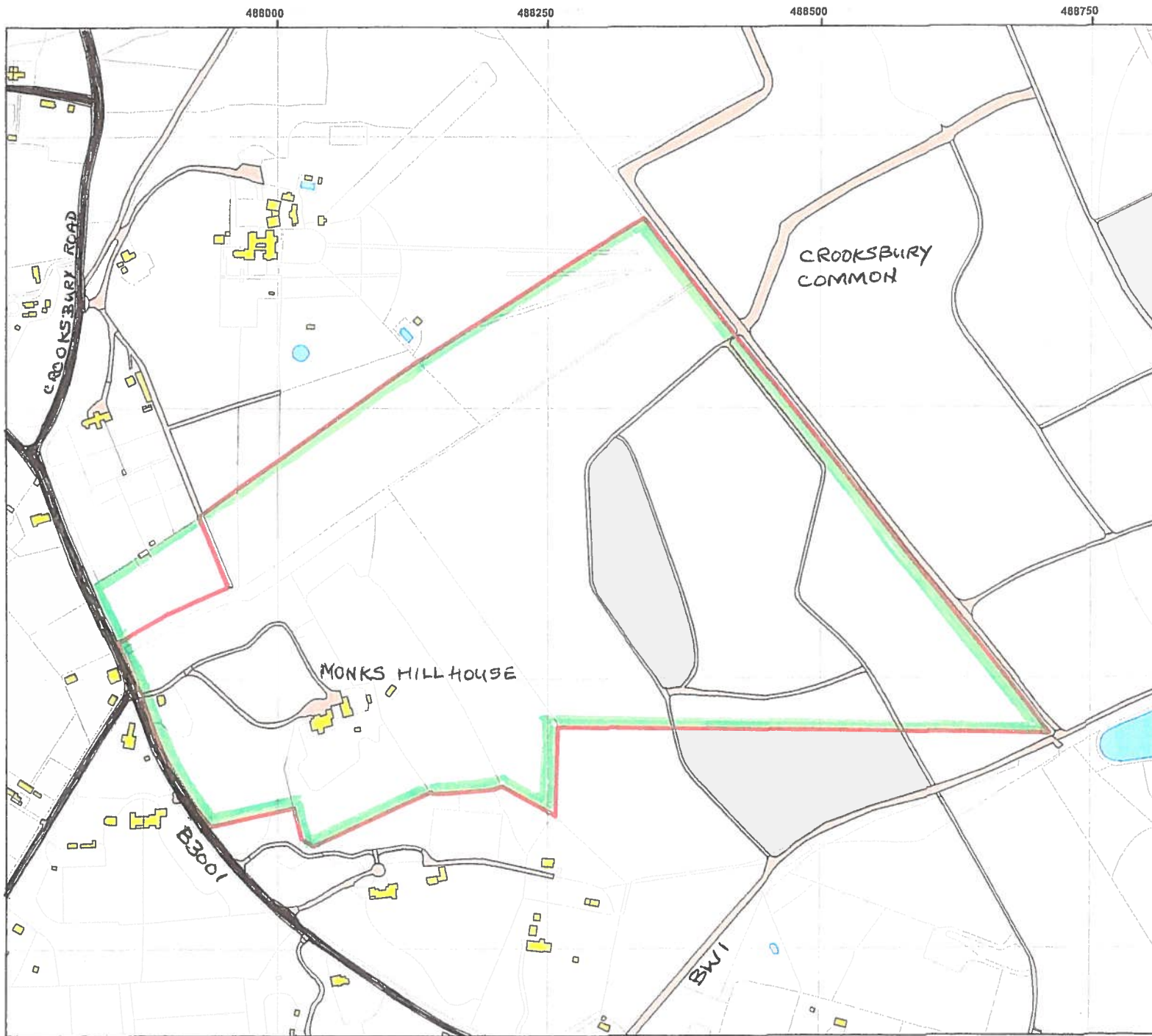
 

Print full name:

DAVID MERRICK-WILLSON DARRELL SUZANNE MERRICK-WILLSON






Date: MONDAY 10th AUGUST 2020

You should keep a copy of the completed form

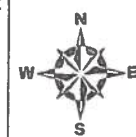


Monks Hill

Legend

-  Site Boundary
-  Building
-  Inland Water
-  Track
-  Road

Boundary Map



1:3,500
When Printed at A3
23.06.2020