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SCHEDULE 1 Regulation 2(2)(a)

Application Form **31(6)-J-21-03**

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:
Thomas Hayes
c/o Heaton & Partners, 2 London Road, Newbury. RG14 1JX

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 **Mr and Mrs Nathoo** who is the owner of the land(s) described in paragraph 4 and in my capacity as **Managing Agent**.

4. Insert description of the land(s) to which the application relates (including full address and postcode):
The land edged red on the attached map known as Willinghurst Farmhouse, Shamley Green, Surrey. GU5 0SU

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known):
TQ048428

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

Mr and Mrs Nathoo is the owner of the land described in paragraph 4 of Part A of this form and shown **edged RED** on the map accompanying this statement.

~~[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 **ORANGE** on the accompanying map are public bridleways.
Ways shown **PURPLE** on the accompanying map are public footpaths.

No other ways over the land shown **EDGED RED** on the accompanying map have been dedicated as highways.

~~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 [*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/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 [*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 [*insert colouring*] on the map [accompanying this declaration/referenced in paragraph 1 above] since the statement dated *[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 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)

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): [redacted]

Print full name: THOMAS HAYES

Date: 7th OCTOBER 2022

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.

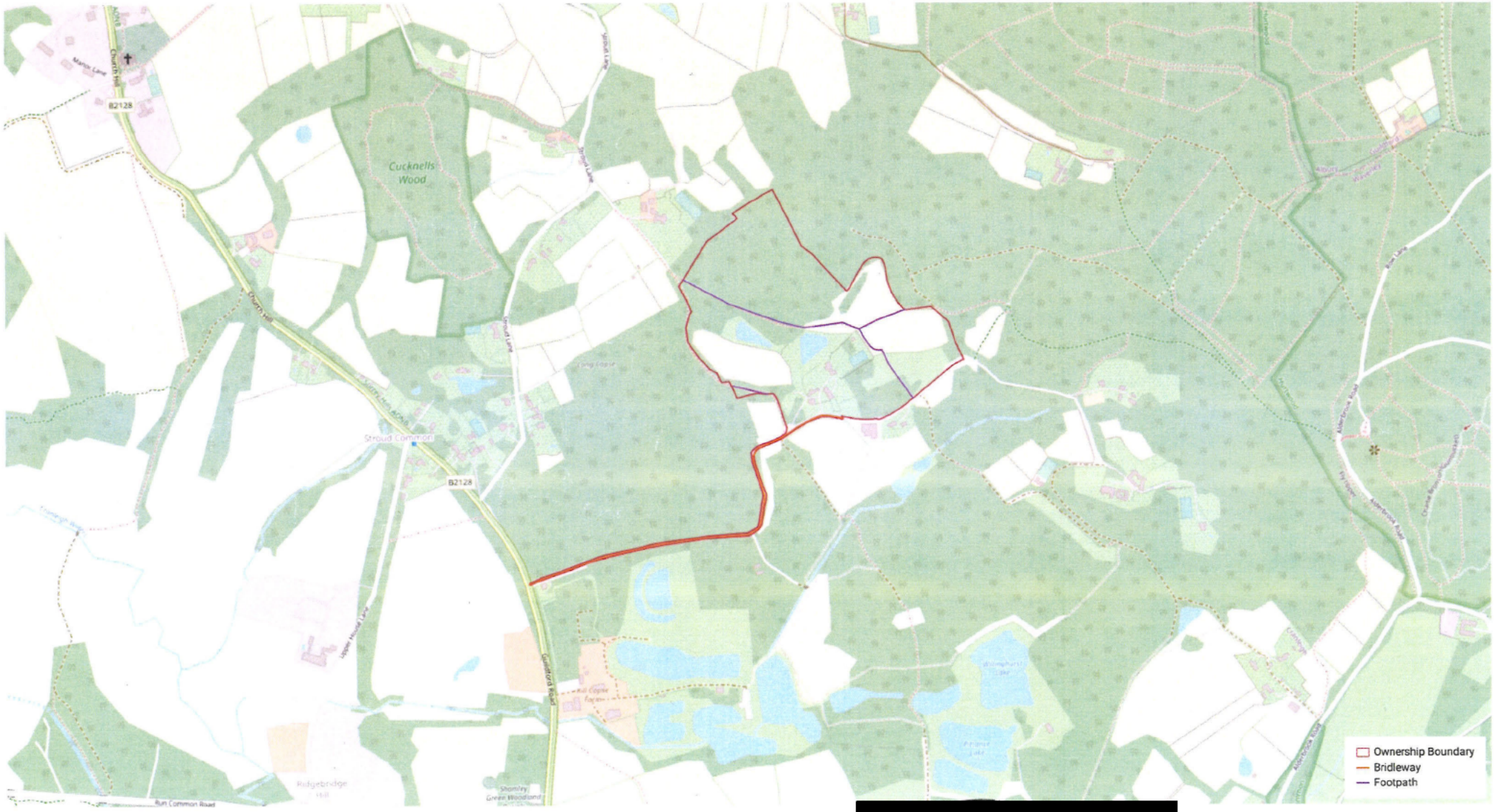
The appropriate authority (see explanation of definition in above guidance notes) in England is the data controller in respect of any personal data that you provide when you complete this form.

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.

Willinghurst Farmhouse

HEATON PARTNERS
Property Consultants



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Scale 1:10560 (at A4)

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