

## 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:

SURREY COUNTY COUNCIL

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

HOCKERING RESIDENTS' ASSOCIATION C/O JOHN MICHAEL LEWIN OF SEFTON,  
HOCKERING ROAD, WOKING, SURREY GU22 7HG

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 Hockering Residents' Association who is the owner of the land(s) described in paragraph 4 and in my capacity as one of the Trustees.

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

LAND AT HOCKERING ROAD, DANES HILL, CLEARDOWN AND KNOWL HILL, WOKING,  
SURREY, COMPRISING THE HOCKERING ESTATE

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): TQ 015 584

6. This deposit comprises the following statement(s) and/or declarations (Part B):

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

The Trustees of the Hockering Residents' Association are the owners of the land described in paragraph 4 of Part A of this form and shown brown on the map accompanying this statement.

No ways over the land shown brown 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):**

**Print full name: JOHN MICHAEL LEWIN**

**Date: 22<sup>nd</sup> MAY 2018**

**You should keep a copy of the completed form**

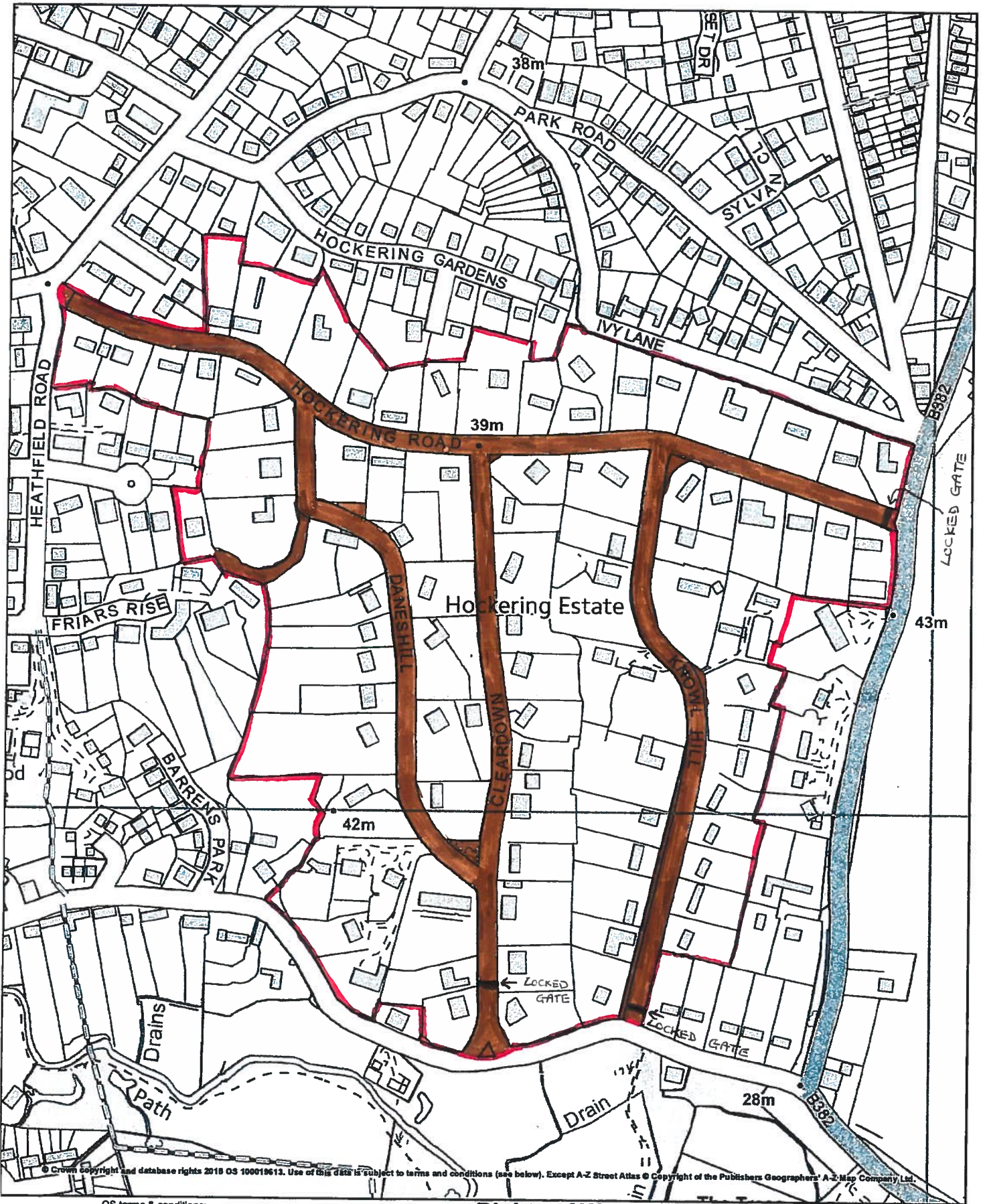
**Data Protection Act 1998 - Fair Processing Notice**

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.



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**Rights of Way**

- ≡≡≡≡ Footpath
- Restricted Byway
- Bridleway
- ≡≡≡≡ BOAT



1:4,000

Date: 04/06/2018



**STATUTORY DECLARATION****(SECTION 31(6) OF THE HIGHWAYS ACT 1980  
AND SECTION 15(A)(1) OF THE COMMONS ACT 2006)**

We, John Michael Lewin of Sefton Hockering Road Woking Surrey GU22 7HG, Derek Wayne Cribb of Craigmere Hockering Road Woking, Surrey GU22 7HJ and Dr Lionel Cyril Francis Blackman of Griffin House Knowl Hill Woking Surrey GU22 7HL, all the trustees of the Hockering Residents' Association do solemnly and sincerely declare and affirm as follows:

1. We are the current duly appointed Trustees of the Hockering Residents' Association and all the Trustees are the registered proprietors of the freehold land comprising the roads, footpaths and verges on the Hockering Estate, Woking, Surrey respectively known as Hockering Road, Danes Hill, Cleardown and Knowl Hill (which roads, footpaths and verges are hereon after referred to together as "the roadways") all registered at the Land Registry with title absolute under title numbers SY730579, SY570826, SY518826 and SY570578.
2. There is now produced to us and shown marked "JML1" a plan or map ("the map") showing the extent of the Hockering Estate edged in red and the roadways coloured in brown.
3. On 9 September 2002, Dr Lionel Cyril Francis Blackman (who at that date was both a Trustee and Chairman of the Hockering Residents' Association) deposited with Surrey County Council, being the appropriate Council a statement accompanied by a map showing the Hockering Estate edged in red on such map and showing the roadways coloured brown on such map and in which he stated that no such roadways had been dedicated as highways. He accompanied such deposit with a statutory declaration confirming this.
4. On 25 March 2008, Stephanie Jane Davies, Richard William Savage, Dr Lionel Cyril Francis Blackman and Howard Anthony Woellwarth deposited with Surrey County Council being the appropriate Council a statement accompanied by a map showing that the Hockering Estate edged in red on such map and showing the road ways coloured brown on such map in which they stated that no such roadworks has been dedicated as public highway. They accompanied such deposit with a statutory declaration confirming this.
5. As the current Trustees of the Hockering Residents' Association in whom the legal title of the said roadways is now vested, we hereby declare and confirm that none of the roadways on the Hockering Estate have been dedicated to the public at large to use in any way whatsoever and that we the said current owners make no admission that any of

the said Roadways have been dedicated to the public and hereby further declare and confirm that there is absolutely no intention on the part of the Hockering Residents' Association or its committee nor the current Trustees who are the registered proprietors and owners of the roadways to dedicate them.

6. We hereby further declare that as owners of the Roadways on behalf of the Hockering Residents' Association, we permit without consideration or interest members of the public to walk over the said roads and footpaths but have not thereby dedicated and do not dedicate the same to the public at large to use them in any way whatsoever and have no intention of so doing.

7. We make this solemn declaration on the \_\_\_\_\_ of \_\_\_\_\_ 2018, conscientiously belonging the same to be true and by virtue of the Statutory Declarations Act 1835.

Declared by the said John Michael Lewin at 21-25 Church St West,  
in the county of Surrey this 20<sup>th</sup> day of March 2018 before me

*Rachael How*

Solicitor Commissioner for Oaths

MACKRELL TURNER GARRETT  
SOLICITORS  
21-25 Church Street West  
Woking, Surrey  
GU21 6DJ

Declared by the said Derek Wayne Cribb at Holborn Gate,  
in the county of London this 02<sup>nd</sup> day of May 2018 before me

*Benjamin Kemp*

Solicitor Commissioner for Oaths.

Declared by the said Dr Lionel Francis Blackman at \_\_\_\_\_  
in the county of Surrey this 2<sup>nd</sup> day of May 2018 before me

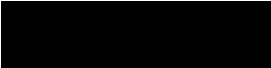
*VICTORIA BOOTHMAN.*

Solicitor Commissioner for Oaths.

Victoria Boothman  
Solicitor  
Mackrell Turner Garrett  
21-25 Church Street West  
Woking, Surrey. GU21 6DJ, UK

THIS IS THE EXHIBIT MARKED "JML1" referred to in the Statutory Declaration of John Michael Lewin, Derek Wayne Cribb and Dr Lionel Cyril Francis Blackman declared before me this day of

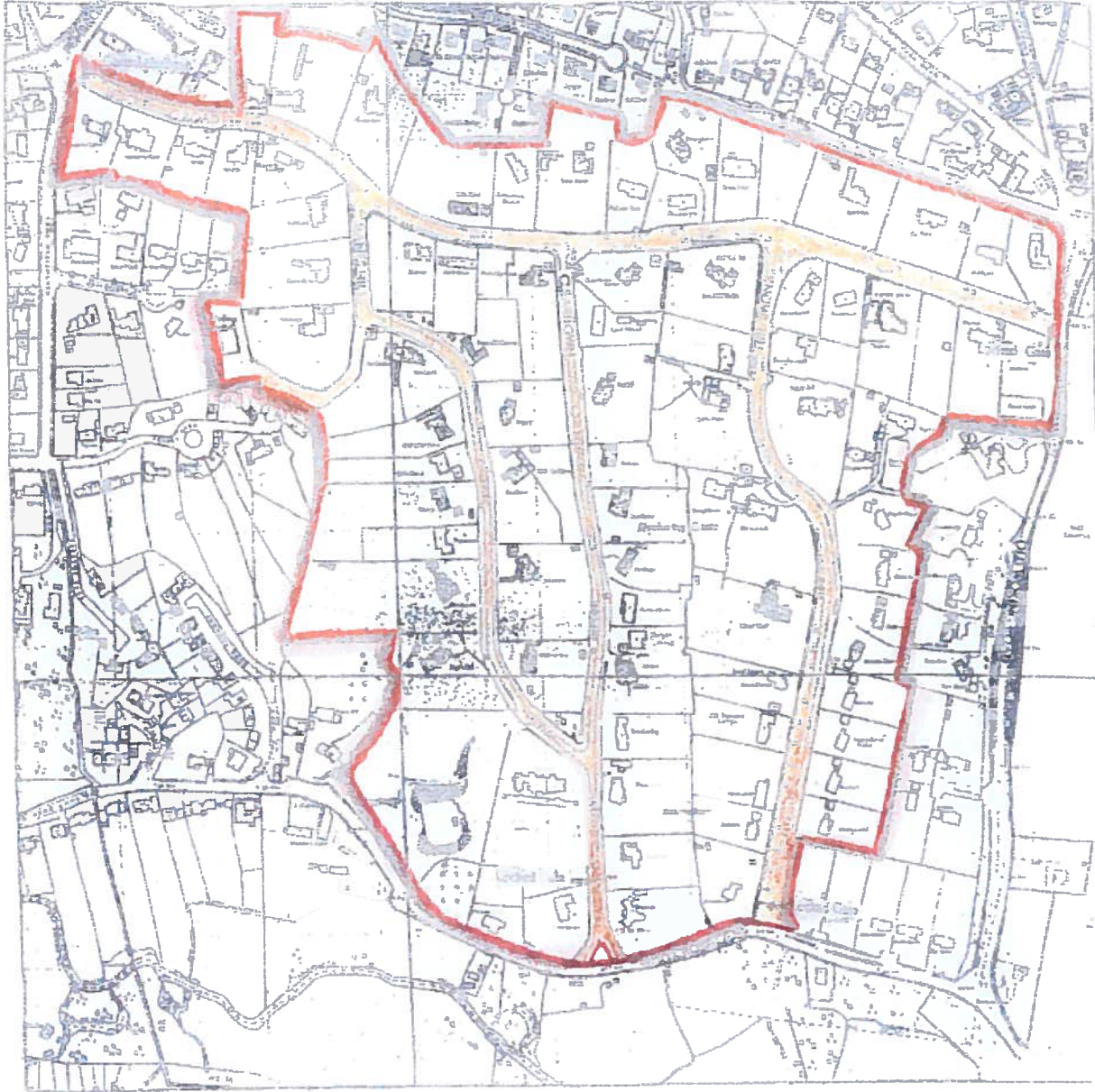
2018



.....Solicitor Commissioner for Oaths

20/3/18

HOCKERING ESTATE WORKING



Scale approx 1:8500 September 2002

Plan No RD/1