LSD 0039

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/government/uploads/system/uploads/attachment_data/file/241522/pb13886-commonsact-cra-guidance.pdf
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 Survey 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 1 October 2013) in accordance with Section 31(6) of the Highways Act 1980. Any accompanying map must be an Ordnance Survey 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.

Please complete the form, print off and sign and return to the address on page 14. If you hover over each of the boxes with your mouse, tips will appear to help you fill in the form.

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:

Staffordshire County Council

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

The Borough Council of Newcastle under Lyme
Civic Offices
Merrial Street
Newcastle under Lyme
Staffordshire
ST5 2AG

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

I am

(a) ☑ the owner of the property/land(s) described in paragraph 4;

(b) ☐ making this application and the statements/declarations it contains on behalf of

_____ who is the owner of the property/land(s)

described in paragraph 4 and in my capacity as _____

Owners:
If you have ticked box (a), and wish to deposit the Statement and Map **ONLY** under Section 31(6), please fill in the rest of this section, then Parts B(i), E and F as appropriate. Note that the Declaration must be deposited within 20 years of the date the Statement and Map were received by Staffordshire County Council.

If you have ticked box (a), and wish to deposit the Statement and Map **AND** make the Declaration under Section 31(6), please fill in the rest of this section, then Parts B(i), C(i), E and F as appropriate.

If you have ticked box (a), and wish **ONLY** to make the Declaration as you have previously deposited your Statement and Map, please fill in the rest of this section, then Parts C(i), D(i), E and F as appropriate.

If you have ticked box (a), and wish to make a Statement under Section 15A(1), please fill in the rest of this section, then D(i), E and F as appropriate.

Authorised Representative:
If you have ticked box (b), and wish to deposit the Statement and Map **ONLY** under Section 31(6, please fill in the rest of this section, then Parts B(ii), E and F as appropriate. Note that the Declaration must be deposited within 20 years of the date of the date the Statement and Map were received by Staffordshire County Council.

If you have ticked box (b), and wish to deposit the Statement and Map **AND** make the Declaration, please fill in the rest of this section, then Parts B(ii), C(ii), E and F as appropriate.

If you have ticked box (b), and wish **ONLY** to make the Declaration as you have previously deposited your Statement and Map, please fill in the rest of this section, then Parts C(ii), D(ii), E and F as appropriate.

If you have ticked box (a), and wish to make a Statement under Section 15A(1), please fill in the rest of this section, then D(ii), E and F as appropriate.

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

Land at Clayhanger Close, Bradwell, Newcastle under Lyme, ST58RQ

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known) e.g: SJ955 185, SJ955185

SJ844 497

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

Part B ☑

Part C ☐

Part D ☑

PART B(i): Statement under Section 31(6) of the Highways Act 1980
(Owner to complete)

I Newcastle under Lyme Borough Council am the owner of the property/land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.

Ways shown none on the accompanying map are byways open to all traffic

Ways shown none on the accompanying map are restricted byways

Ways shown none on the accompanying map are public bridleways

Ways shown none on the accompanying map are public footpaths

[Please type 'none' where no right of way of that type exists]

No (other) ways over the land shown edged red on the accompanying map have been dedicated as highways.

PART B(ii): Statement under Section 31(6) of the Highways Act 1980
(Authorised Representative to complete)

[ ] is the owner of the property/land described in paragraph 4 of Part A of this form and shown [ ] on the map accompanying this statement.

Ways shown [ ] on the accompanying map are byways open to all traffic

Ways shown [ ] on the accompanying map are restricted byways

Ways shown [ ] on the accompanying map are public bridleways

Ways shown [ ] on the accompanying map are public footpaths

[Please type 'none' where no right of way of that type exists]

No (other) ways over the land shown [ ] on the accompanying map have been dedicated as highways.

PART C(i): Declaration under Section 31(6) of the Highways Act 1980
(Owner to complete)

1. I, [ ] am the owner of the property/land described in paragraph 4 of Part A of this form and shown [ ] on the map accompanying this declaration or lodged with Staffordshire County Council on [ ]

2. On the [ ] day of [ ], I [ ] or my predecessor in title [ ] deposited with Staffordshire County Council, being the appropriate council, a statement accompanied by a map showing my property in [ ] which stated that:

the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as byways open to all traffic;

the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as restricted byways;

the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as bridleways;

the ways shown [ ] 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 [ ] property. [Please type 'none' where no right of way of that type exists]

3. On the [ ] day of [ ], I [ ] or my predecessor in title [ ] deposited with Staffordshire County Council being the appropriate council, a declaration dated [ ], 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.

4. No additional ways have been dedicated over the land coloured [ ] on the map accompanying this declaration (or referenced in paragraph 1 above) since the statement dated [ ] referred to in paragraph 2 above (or 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 have no intention of dedicating any more public rights of way over my property.

PART C(ii): Declaration under Section 31(6) of the Highways Act 1980
(Authorised Representative to complete)

1. I, [ ] is the owner of the property/land described in paragraph 4 of Part A of this form and shown [ ] on the map accompanying this declaration /or lodged with Staffordshire County Council on [ ]

2. On the [ ] day of [ ]
[ ] or their predecessor in title
[ ] deposited with Staffordshire County Council, being the appropriate council, a statement accompanied by a map showing
[ ] property in [ ] which
stated that:
the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as byways open to all traffic;
the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as restricted byways;
the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as bridleways;
the ways shown [ ] on that map (and on the map accompanying this declaration) had been dedicated as footpaths;
no (other) ways had been dedicated as highways over [ ] property.
[Please type 'none' where no right of way of that type exists]

3. On the [ ] day of [ ], [ ] or their predecessor in title [ ] deposited with Staffordshire County Council being the appropriate council, a declaration dated, [ ] 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.

4. No additional ways have been dedicated over the land coloured [ ] on the map accompanying this declaration (or referenced in paragraph 1 above) since the statement dated [ ], referred to in paragraph 2 above (or 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, [ ] has no intention of dedicating any more public rights of way over the property.

PART D(i): Statement under Section 15A(1) of the Commons Act 2006
(Owner to complete)

I Newcastle under Lyme Borough C am 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 / deposited with Staffordshire County Council on

I Newcastle under Lyme Borough C wish 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 red on the accompanying map/map referenced above.

PART D(ii): Statement under Section 15A(1) of the Commons Act 2006
(Authorised Representative to complete)

[ ] is the owner of the land described in paragraph 4 of Part A of this form and shown [ ] on the map accompanying this statement / deposited with Staffordshire County Council on [ ]

[ ] 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 [ ] on the accompanying map/map referenced above

PART E: Additional information relevant to the application

N/A

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):
(Please print the form and write your signature in the box below)

[redacted]

Print full name:

Neale Clifton

Date: 11th April 2017

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 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) of 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 on-line 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 1988.

Please print off the completed form, sign and return to:

Landowner Statements and Declarations,
Spatial Information Team,
Staffordshire County Council,
2 Staffordshire Place,
Tipping Street,
Stafford. ST16 2DH.

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