

KENT COUNTY COUNCIL
REGISTER OF DEPOSITS



KCC Reference number: **19/12**

- ✓ Highways Statement
- ✓ Highways Declaration

Date Deposit application received: **29/02/2012**

Date on which any Highways Declaration expires: **23/06/2042**

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Details of the land:

Districts	Ashford
Parishes	Molash
Address & postcode of buildings on land parcels	Land at Wytherling Court Farm, Withersdane Lane, Molash, Kent, CT4 8HX
Nearest town/city	Molash
OS 6-figure grid reference	TR 034 531

KCC Contact: Definitive Map Officer

Tel: 03000 41 71 71

Email: prow@kent.gov.uk

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.
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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:

Kent County Council

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

Mark Chandler – as Agent for Vivien Patricia Maud Potter

Finns (1865) Ltd

2 Market Street

Sandwich

Kent

CT13 9DA

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 Vivien Patricia Maud Potter who is the owner of the land(s) described in paragraph 4 and in my capacity as Land Agent.

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

Land at Wytherling Court Farm, Withersdane Lane, Molash, Canterbury, Kent, CT4 8HX as shown edged green on the map (K525913)

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

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

☒ Part C (Highways Declaration)

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

1. Vivien Patricia Maud Potter is the owners of the land described in paragraph 4 of Part A of this form and shown edged green on the map lodged with Kent County Council on 29th February 2012

2. On the 29th Day of February 2012, Vivien Patricia Maud Potter deposited with Kent County Council, a statement accompanied by a map showing Vivien Patricia Maud Potter, property edged green which stated that:

the ways shown red on that map had been dedicated as footpaths

no other ways had been dedicated as highways over Vivien Patricia Maud Potter property

3. On the 26th day of June 2012, Vivien Patricia Maud Potter, deposited with Kent County Council, being the appropriate council, a statutory declaration dated 22nd June 2012, stating that no additional ways had been dedicated as since the deposit of the statement referred to in paragraph 2 above.

4. No additional ways have been dedicated over the land edged in green on the map since the statement dated 29th February 2012 referred to in paragraph 2 and at the present time Vivien Patricia Maud Potter has 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)

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: **MARK CHANDLER**

Date: **21/06/2022**

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.

STATUTORY DECLARATION
SECTION 31(6), Highways Act 1980

I, Vivien Patricia Maud Potter do solemnly and sincerely declare as follows:

I, am and have been since the 11th November 1981 the owner of the land known as Wytherling Court Farm Molash Canterbury Kent CT4 8HX more particularly delineated on the plan accompanying this declaration and thereon edged in green.

On the 29th February 2012 I deposited with Kent County Council, being the appropriate Council, a statement accompanied by a plan delineating my property by green edging which stated;

The ways coloured red on the said plan had been dedicated as Footpaths.

No additional ways have been dedicated overland edged red on the plan accompanying this declaration since the statement dated 20th February 2012 referred to above other than those Footpaths, marked in the appropriate colour on the plan accompanying this declaration and at the present time I have no intention of dedicating any more rights of way over my property.

I make this solemn declaration on the 22 day of the JUNE 2012 believing it to be true by virtue of the Statutory Declaration Act 1835.

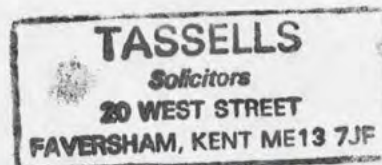
Declared at TASSELLS SOLICITORS [address]

[REDACTED] [signature of landowner]

Before me

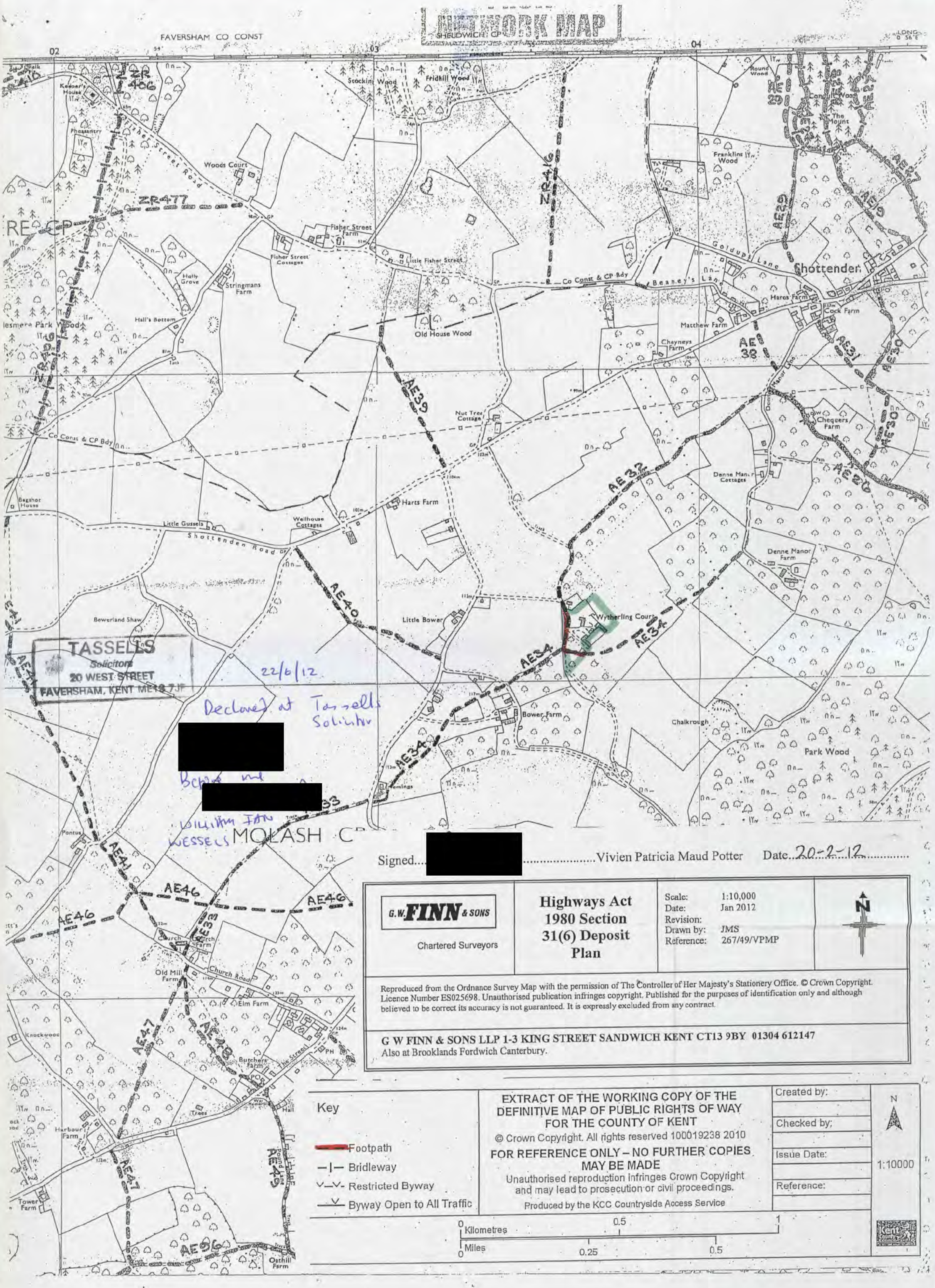
[REDACTED]

WILLIAM IAN WESSELS
 [Commissioner for Oaths or Justice of the Peace or Solicitor]



22-6-12

Date MELASH C74
20 FEB 12



Signed... Vivien Patricia Maud Potter Date... 20-2-12

G.W. **FINN** & SONS

Chartered Surveyors

Highways Act
1980 Section
31(6) Deposit
Plan

Scale: 1:10,000
Date: Jan 2012
Revision:
Drawn by: JMS
Reference: 267/49/VPMP



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G W FINN & SONS LLP 1-3 KING STREET SANDWICH KENT CT13 9BY 01304 612147
Also at Brooklands Fordwich Canterbury.

Key

- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic

EXTRACT OF THE WORKING COPY OF THE
DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY
FOR THE COUNTY OF KENT

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1:10000



Please send this statement and your accompanying plan (which should also be signed by you) to Mr Matthew Garvey, Public Rights of Way, Environment & Waste, Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XX.

**DEPOSIT OF STATEMENT AND PLAN
SECTION 31(6), HIGHWAYS ACT 1980**

I am and have been since the 11th November 1981 the owner of the land known as Wytherling Court Farm Molash Canterbury Kent CT4 8HX more particularly delineated on the plan accompanying this declaration and thereon edged in green.

The aforementioned land lies in the Parish of Molash

The ways coloured red on the said plan have been dedicated as footpaths.

No other ways over the land have been dedicated as highways.

The deposit shall comprise this statement and accompanying plan.

Signed (landowner) _____

Name (of landowner) Vivien Patricia Maud Potter

Address Wytherling Court Molash Canterbury Kent CT4 8HX

Date.....20/2/12.....

Signed (witness) _____

Name (of witness) D. GRIMSMAW

Address SHOTTERDEN LANE

Date MELASH CT4 20 FEB 12

