

KENT COUNTY COUNCIL
REGISTER OF DEPOSITS



KCC Reference number: **32/12**

- ✓ Highways Statement
- ✓ Highways Declaration

Date Deposit application received: **14/07/2012**

Date on which any Highways Declaration expires: **18/07/2042**

.....

Details of the land:

Districts	Canterbury
Parishes	Kingston
Address & postcode of buildings on land parcels	Land by the former Elham Valley Railway
Nearest town/city	Kingstone
OS 6-figure grid reference	TR 193 512

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. 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:

Kent County Council

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

Gerald & Cecilia Crease
50 The Street
Kingston
Canterbury
CT4 6JE

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

We are

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

Land of the former Elham Valley Railway, behind number 50 The Street, Kingston, CT4 6JE and the Kingston/Bishopsbourne parish boundary

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

TR 193 513

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

1. We, Gerald & Cecilia Crease are the owners of the land described in paragraph 4 of Part A of this form and shown edged in red on the map lodged with Kent County Council on the 14th July 2012.

2. On the 14th Day of July 2012 we, Gerald and Cecilia Crease, deposited with Kent County Council, being the appropriate council, a statement accompanied by a map showing our property edged red which stated that:

The way shown yellow on that map had been dedicated as footpath.

No other ways had been dedicated as highways over our property.

3. On the 27th day of July 2012 we, Gerald and Cecilia Crease, deposited with Kent County Council, being the appropriate council, a **declaration** dated 27th July 2012 stating that no additional ways had been dedicated since the deposit of the statement referred to in paragraph 2 above.

4. No additional ways have been dedicated over the land edged in red on the map referenced in paragraph 1 above since the date of the declaration referred to in paragraph 3 above and at the present time, we, Gerald & Cecilia Crease have no intention of dedicating any more public rights of way over our 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: Gerald Crease


Cecilia Crease

Date: X 15/07/2022.

You should keep a copy of the completed form

General Data Protection Regulations (Data Protection Act 1998) – Fair Processing Notice

How and why are we processing your personal data?

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.

You are providing your personal details which include your name and address to enable the processing of 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 (processing is necessary for compliance with a legal obligation). The information you provide will also be used to fulfil 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. KCC's Public Rights of Way & Access Service 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, KCC's Public Rights of Way & Access Service will not permit any unwarranted breach of confidentiality nor will they act in contravention of their obligations under the General Data Protection Regulations (Data Protection Act 1998).

GERALD RODNEY CREASE
CECILIA JANE (CRAWFORD) CREASE
STATUTORY DECLARATION
SECTION 31(6), Highways Act 1980

We (G.R. CREASE
C.J.C. CREASE) [landowner^s] do solemnly and sincerely declare as follows:

We are
~~I am~~ and have been since 26 / JANUARY / 1983 [day/month/year] the owner^s of the
land known as FORMER ELHAM VALLEY RAILWAY LINE [name of farm etc] more
particularly delineated on the plan accompanying this declaration and thereon edged
in red.

On the 18 [day] day of the JULY [month] 2012 [year] I ~~(or my predecessor~~
in title _____ [name]*-) deposited with Kent County Council, being the
appropriate Council, a statement accompanied by a plan delineating my property by
red edging which stated;

The ways coloured YELLOW [colour] on the said plan had been dedicated as
Footpaths.*

~~The ways coloured _____ [colour] on the said plan had been dedicated as
Bridleways.*~~

~~The ways coloured _____ [colour] on the said plan had been dedicated as
Restricted Byway.~~

~~The ways coloured _____ [colour] on the said plan had been dedicated as
Byway Open to All Traffic (BOAT).*~~

No additional ways have been dedicated overland edged red on the plan
accompanying this declaration since the statement dated 14 / JULY / 2012 [day /
month / year] referred to above other than those [Footpaths, ~~Bridleways, Byways~~
~~Open to All Traffic, Restricted Byways*~~] marked in the appropriate colour on the plan
accompanying this declaration and at the present time ~~I~~^{we} have no intention of
dedicating any more rights of way over ~~my~~^{our} property.

* Delete as applicable

I make this solemn declaration on the 27th day of the July, 2012 [day /
month / year] conscientiously believing it to be true by virtue of the Statutory
Declaration Act 1835.

Declared at [address]

16 Rose Lane,
Canterbury,
Kent

[signature of landowner]



C.J.C. Crease

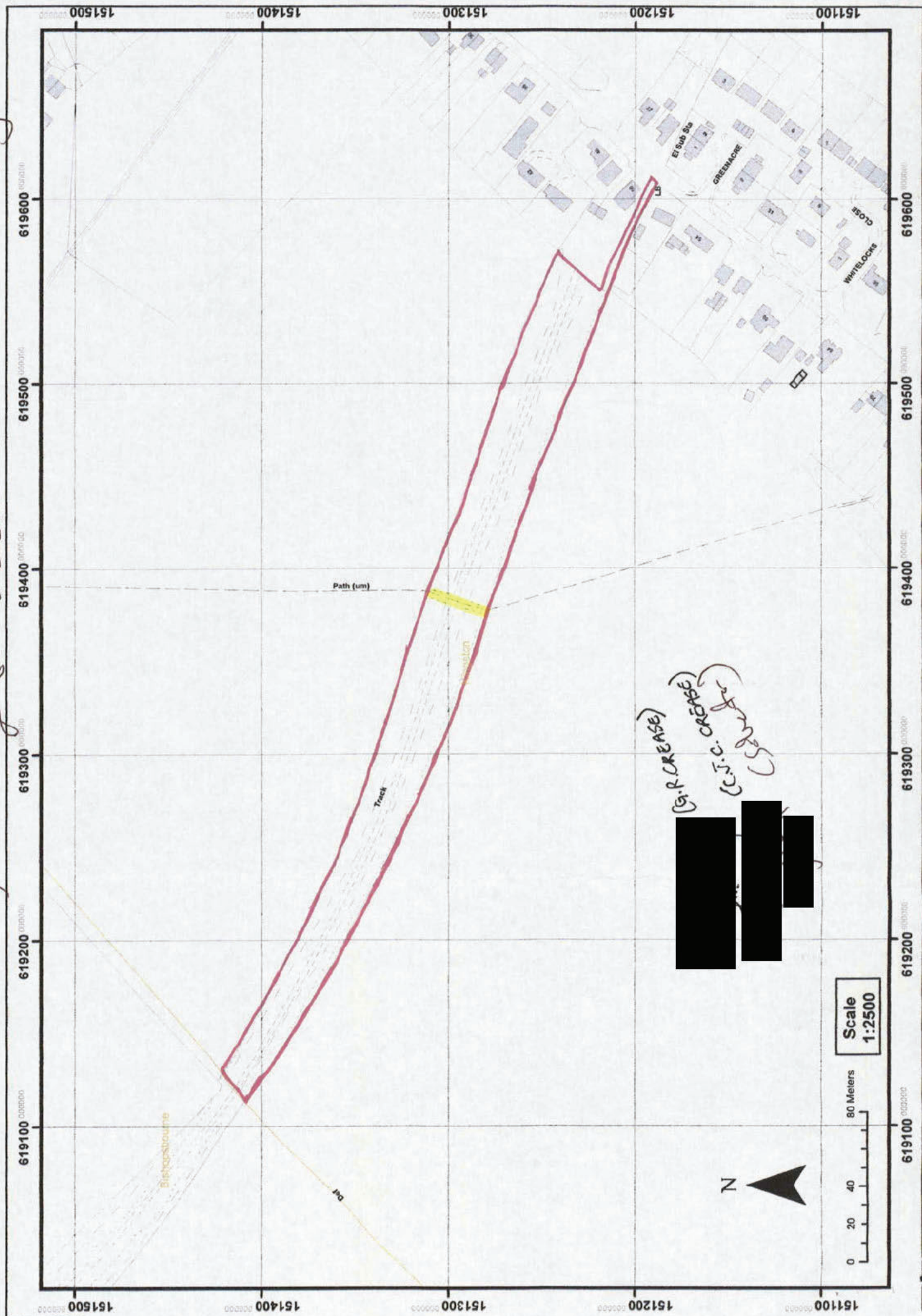
Before me



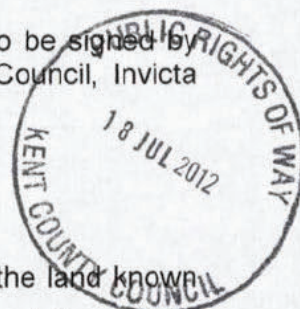
Jonathan Pidduck
Solicitor

[~~Commissioner for Oaths or Justice of the Peace or Solicitor~~]

Exhibit to the History document of Gerald & Catherine Crease dated 27th July 2012



Please send this statement and your accompanying plan (which should also be signed by you) to Countryside Access Service, Environment & Waste, Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XX.



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

We are ~~I am~~ and have been since 26 JANUARY 1983 [day/month/year] the owner^s of the land known as FORMER ELHAM VALLEY RAILWAY [name of farm etc] more particularly delineated on the plan accompanying this declaration and thereon edged in red. —

The aforementioned land lies in the Parish/es of KINGSTON [name/s].

The ways coloured yellow [colour] on the said plan have been dedicated as footpaths.*

~~The ways coloured _____ [colour] on the said plan have been dedicated as bridleways.*~~

~~The ways coloured _____ [colour] on the said plan have been dedicated as Restricted Byways.*~~

~~The ways coloured _____ [colour] on the said plan have been dedicated as Byways Open to All Traffic or BOAT (highways with vehicular status).*~~

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

The deposit shall comprise this statement and accompanying plan.

*Delete as applicable

Signed (landowner) _____

Name (of landowner) G.R. CREASE & C.J.C. CREASE.

Address "KYNHAMFORD" 50 THE STREET, KINGSTON, CANTERBURY, KENT. CT4 6JE.

Date 14/07/2012

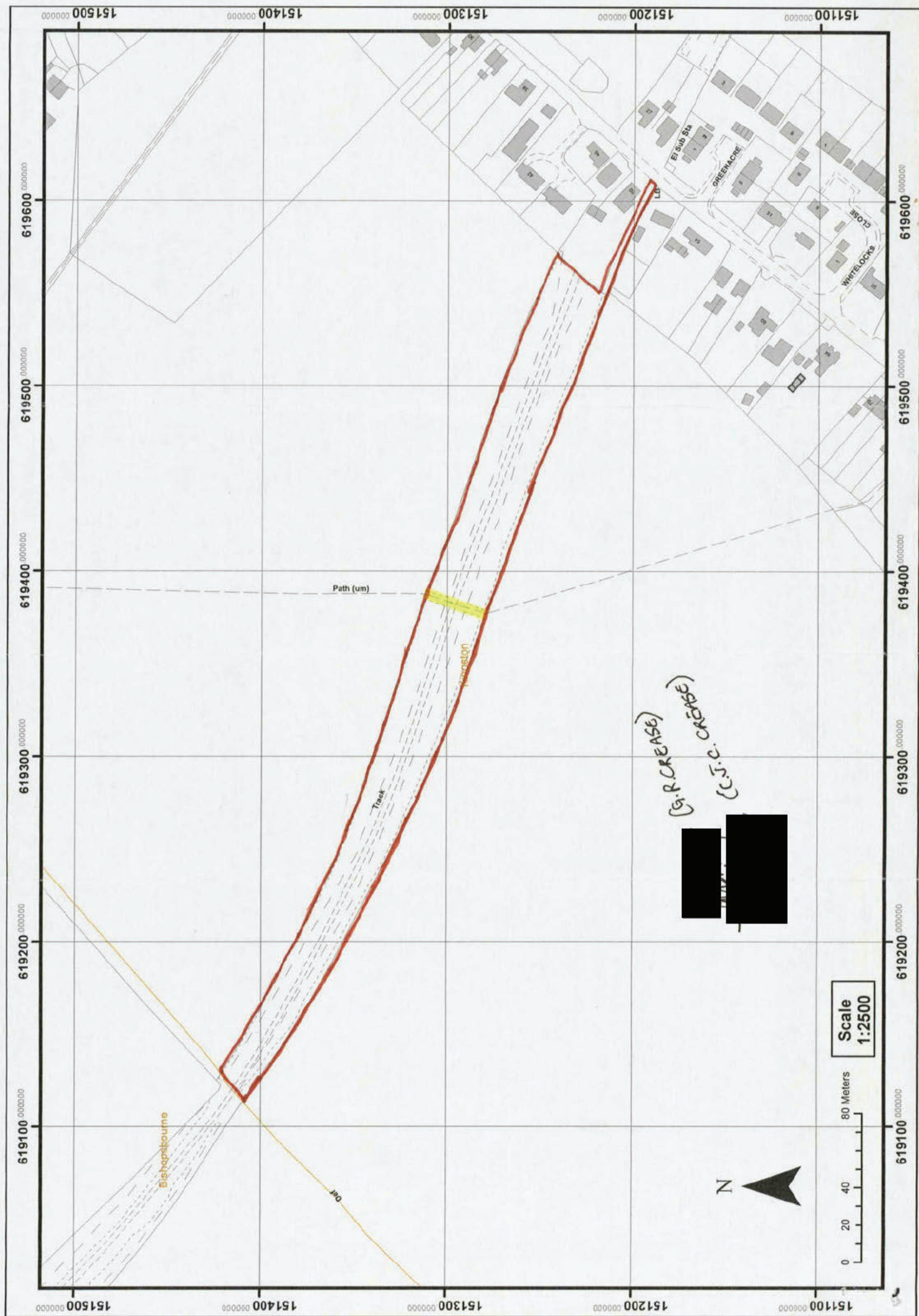
Signed (witness) X _____

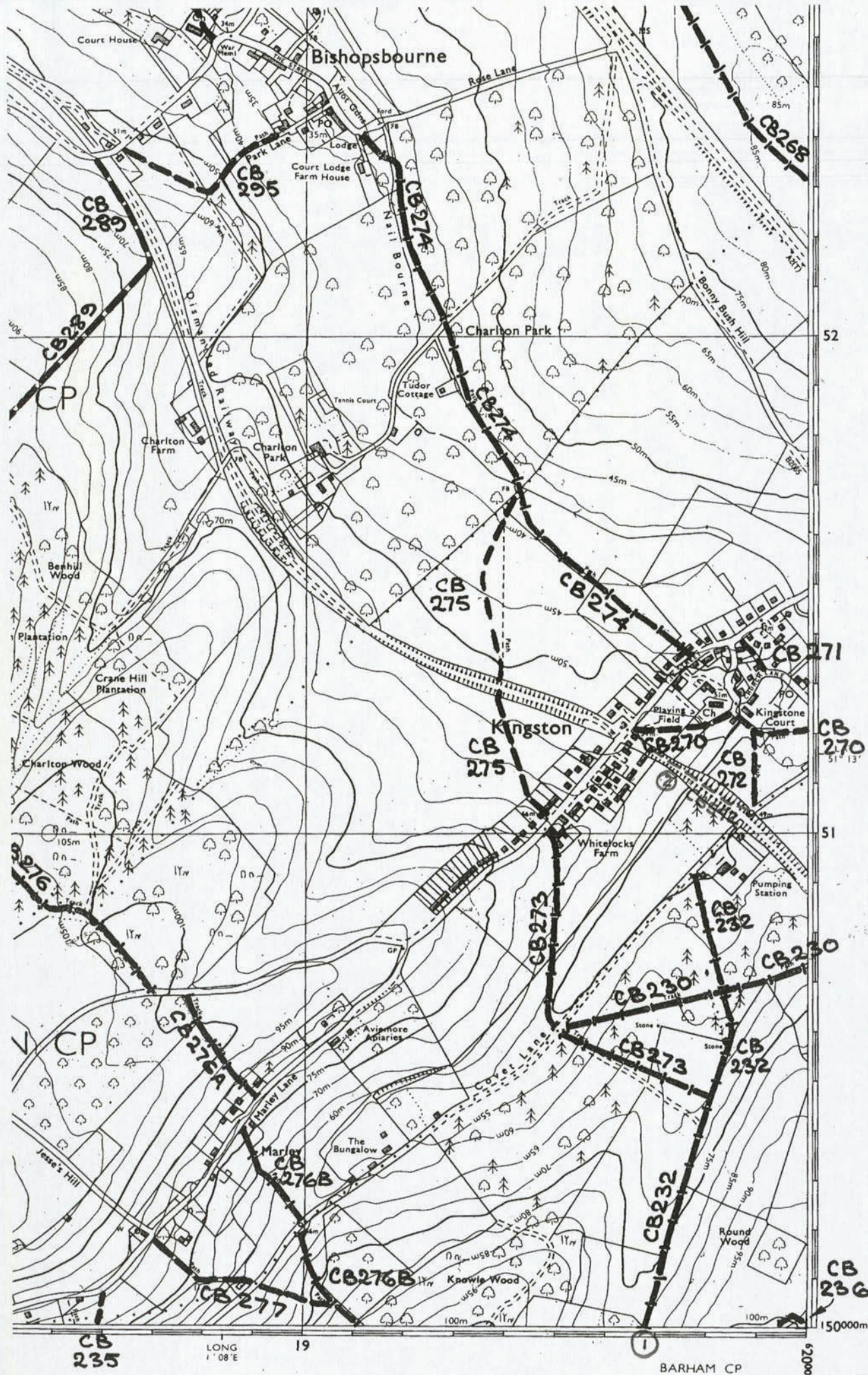
Name (of witness) BRIAN E. KEELER

Address CHARLTON FARM OAST, BISHOPSBOURNE, CANTERBURY. CT4 5JE.

Date 14/07/2012

Please note that we shall require a sworn Statutory Declaration immediately following acknowledgement of your deposit





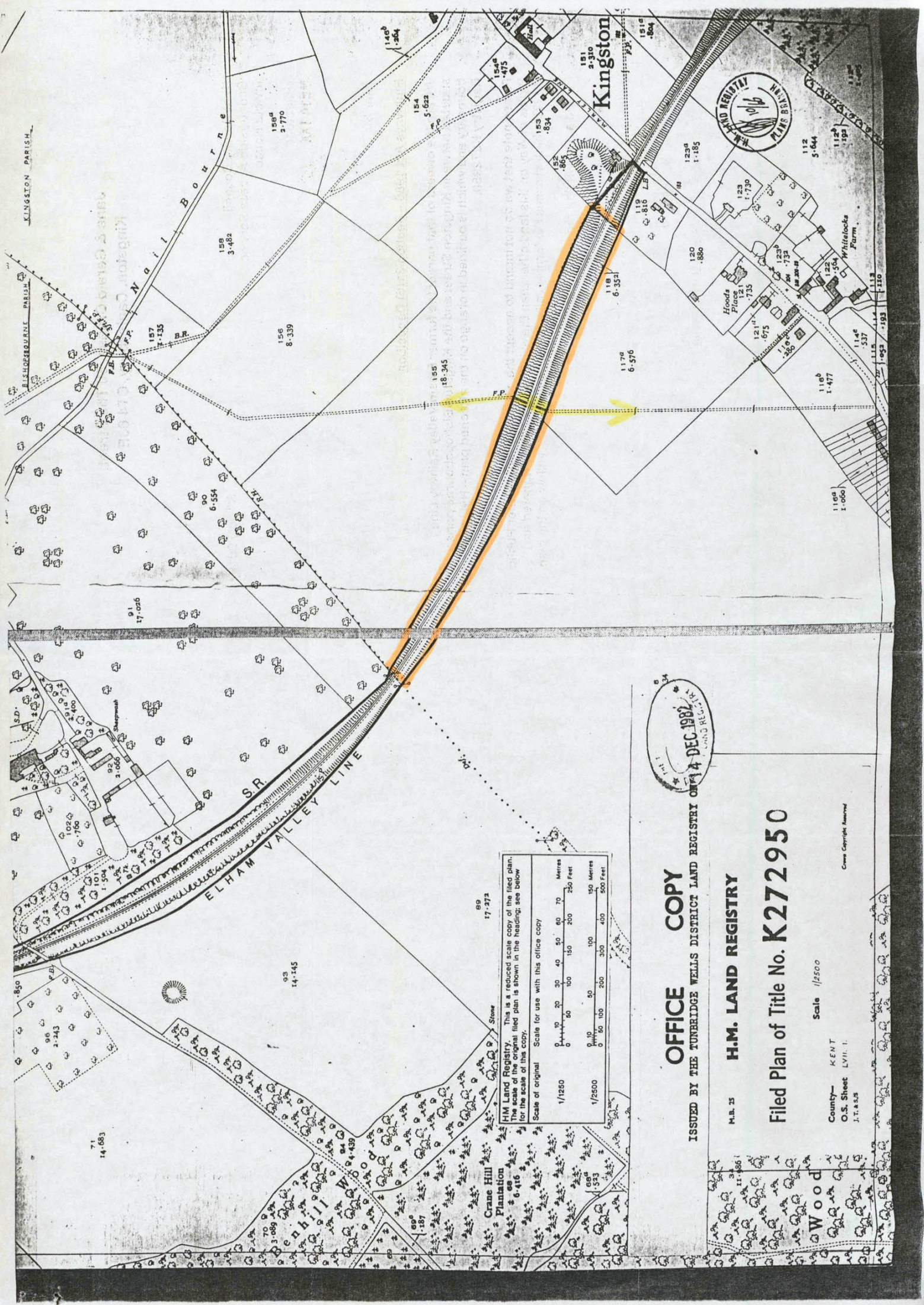
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BARHAM CP



OFFICE COPY

ISSUED BY THE TUNBRIDGE WELLS DISTRICT LAND REGISTRY ON 14 DEC 1982

M.B. 25 H.M. LAND REGISTRY

Filed Plan of Title No. K272950

Scale 1/2500

County— KENT
O.S. Sheet LVIII. 1.
J.T.A.S.B.

Crane Copyright Reserved

H.M. Land Registry. This is a reduced scale copy of the filed plan.
The scale of the original filed plan is shown in the heading, see below
for the scale of this copy.

Scale of original Scale for use with this office copy

