

**KENT COUNTY COUNCIL**  
**REGISTER OF DEPOSITS**



KCC Reference number: **TH/ROW4/HQ/365**

- ✓ Highways Statement
- ✓ Landowner Statement
- ✓ Highways Declaration

Date application received: **13/01/2015**

Date on which any Highways Declaration expires: **21/12/2034**

.....

**Details of the land:**

District	<b>Ashford</b>
Parish	<b>Charing</b>
Address & postcode of buildings on land parcels	<b>Land known as Heath Farm incorporating Heath Farm School, Egerton Road, Charing Heath, Ashford, Kent, TN27 0AX</b>
Nearest town/city	<b>Charing Heath</b>
OS 6-figure grid reference	<b>TQ 927 488</b>

KCC Contact: Definitive Map Officer

Tel: 03000 41 71 71

Email: [prow@kent.gov.uk](mailto:prow@kent.gov.uk)

**Form CA17**

**Notice of landowner deposits under section 31(6) of the Highways Act 1980  
and section 15A(1) of the Commons Act 2006**

**The Kent County Council**

An application to deposit a map and statement and subsequently lodge a declaration under section 31(6) of the Highways Act 1980 and deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the land described below and shown edged red on the accompanying map.

**PLEASE NOTE:**

**This deposit may affect rights over the land described below. Deposits made under section 31(6) of the Highways Act 1980 may prevent deemed dedication of public rights of way over such land under section 31(1) of that Act. Deposits made under section 15A(1) of the Commons Act 2006 may affect the ability to register such land as a town or village green under section 15 of that Act.**

**Please see guidance at:**

**<http://www.defra.gov.uk/rural/protected/greens/> for further information.**

*Description of the land:*

Land known as Heath Farm incorporating Heath Farm School, Egerton Road,  
Charing Heath, Ashford, Kent, TN27 0AX

*Name of the Parish, Ward or District in which the land is situated:*

Charing - Ashford

The deposit was submitted by Mr Somerville-Miekle (BTF Partnerships) on behalf of Heath Farms Ltd. and was received by this authority on 13/01/2015.

The authority maintains a register of maps, statements and declarations deposited under section 31(6) of the Highways Act 1980 and section 15B of the Commons Act 2006.

This register can be accessed online at: <http://www.kent.gov.uk/waste-planning-and-land/public-rights-of-way/landowner-protection> or can be inspected free of charge at the address below at the times indicated below:

PROW & Access Service, Invicta House – 2<sup>nd</sup> Floor, County Hall, Maidstone, Kent, ME14 1XX Monday-Friday between the hours of 10.00am-4.00pm. It is advised that appointment is made beforehand by telephoning 03000 41 71 71.

Signed on behalf of **The Kent County Council:**



*Name and Position of Signatory:* Mike Overbeke,  
Head of Public Protection

Date: 26<sup>th</sup> January 2015





## 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 <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 1<sup>st</sup> 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:

Kent County Council

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

James Somerville- Meikle  
BTF Partnership LLP  
Clockhouse Barn  
Canterbury Road  
Challock  
Kent  
TN25 4BJ

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

**Heath Farm Limited** (Company No. 02582284) which is the owner of the land described in paragraph 4 and in my capacity as the landowner's managing agent.

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

All that land shown edged in red on the map accompanying this Statement and known as "Heath Farm" incorporating "Heath Farm School," Egerton Road, Charing Heath, Ashford, Kent TN27 0AX. Being approximately 22.78 ha of land and buildings with road frontage to Egerton Road on the northern boundary and frontage to the Channel Tunnel Rail Link on the southern boundary.

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

TQ927488

6. This deposit comprises the following Statement:

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

**Heath Farm Limited** is the owner of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this Statement.

The ways shown **blue** on the accompanying map are public bridleways.

The ways shown **yellow** on the accompanying map are public footpaths.

No other ways over the land shown edged in 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 coloured ..... [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 coloured .....  
[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.

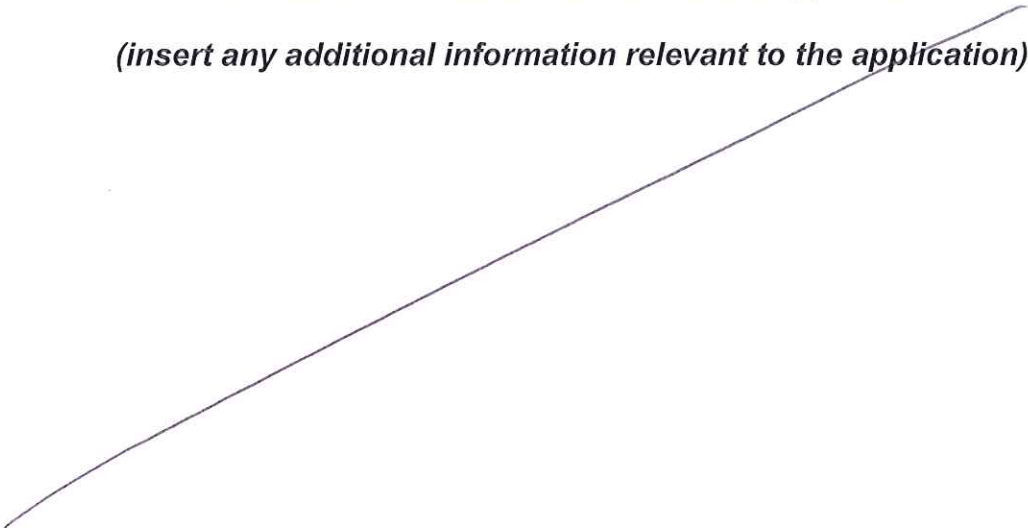
*(delete wording in square brackets as appropriate and/or insert information as required)*

**PART D:**  
**Statement under section 15A(1) of the Commons Act 2006**

**Heath Farm Limited** is the owner of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this Statement.

**Heath Farm Limited** 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 edged in red on the accompanying map.

**PART E:**  
**Additional information relevant to the application**  
*(insert any additional information relevant to the application)*



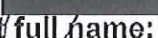


**PART F:**  
**Statement of Truth**  
**(all applicants must complete this Part)**

**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  (the person making the statement of truth):

Print full name: 

*James Somerville-Meilde*  
Date: *12<sup>th</sup> January 2015*

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

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

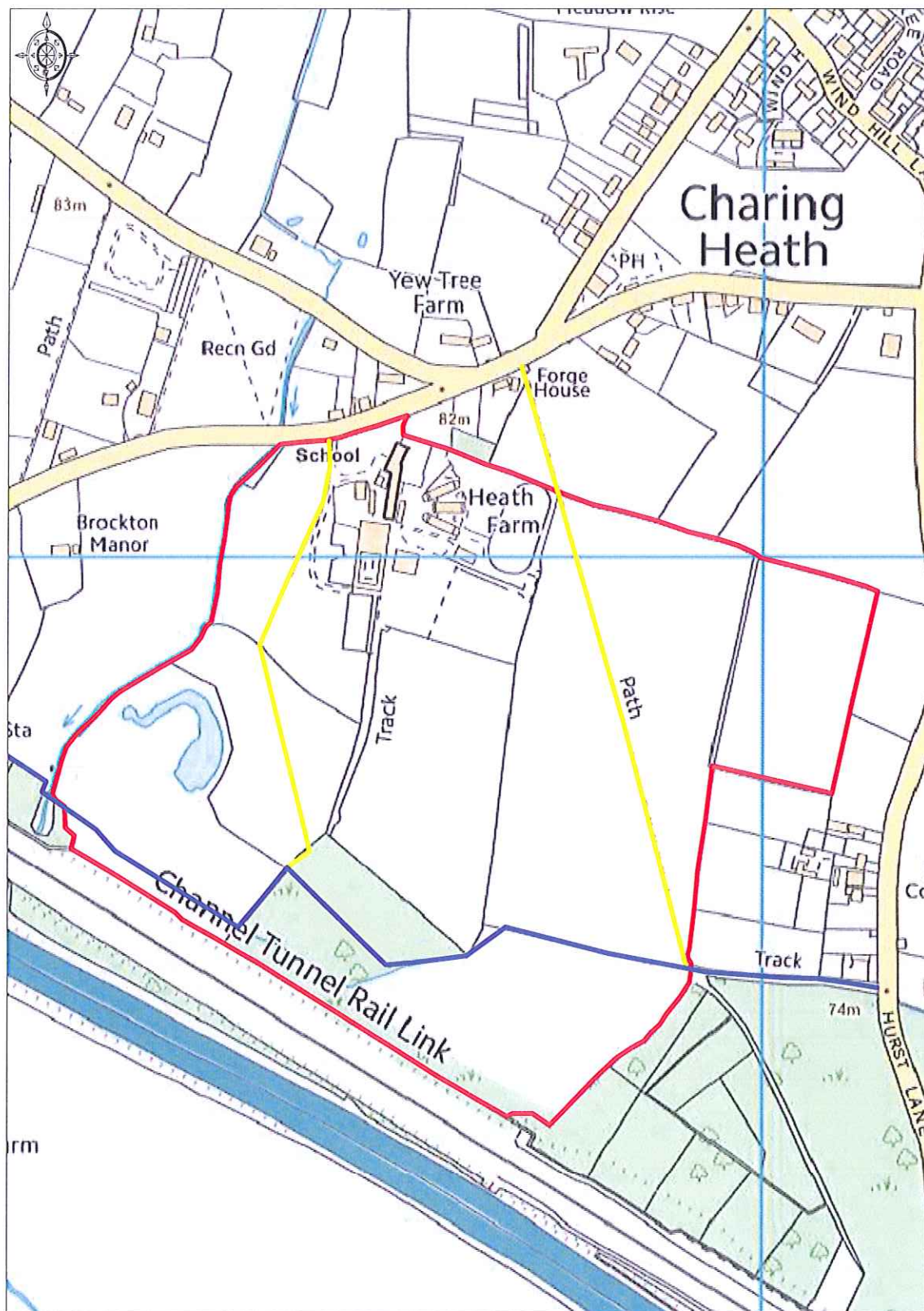
The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

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.

# Map 1 of 1



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Heath Farm incorporating Heath Farm School,  
Egerton Road, Charing Heath, Ashford, Kent TN27 0AX



## 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 <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 1<sup>st</sup> 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:

Kent County Council

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

James Somerville- Meikle  
BTF Partnership LLP  
Clockhouse Barn  
Canterbury Road  
Challock  
Kent  
TN25 4BJ

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 Declaration it contains on behalf of  
**Heath Farm Limited** (Company No. 02582284) which is the owner of the land  
described in paragraph 4 and in my capacity as the landowner's managing agent.

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

All that land shown edged in red on the map accompanying this Statement and known as "Heath Farm" incorporating "Heath Farm School," Egerton Road, Charing Heath, Ashford, Kent TN27 0AX. Being approximately 22.78 ha of land and buildings with road frontage to Egerton Road on the northern boundary and frontage to the Channel Tunnel Rail Link on the southern boundary.

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

TQ927488

6. This deposit comprises the following Declaration:

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

[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.

*(delete wording in square brackets as appropriate and/or insert information as required)*

[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 ..... *[insert colouring]* on the accompanying map are  
public bridleways.]

[Ways shown..... *[insert colouring]* on the accompanying map are  
public footpaths.]

No [other] ways over the land shown ..... *[insert colouring]* on the  
accompanying map have been dedicated as highways.

*(delete wording in square brackets as appropriate and/or insert information as required)*

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

1. **Heath Farm Limited** is the owner of the land described in paragraph 4 of Part A of this form and shown edged in red on the map deposited with Kent County Council on 13<sup>th</sup> January 2015.

2. On the 13<sup>th</sup> day of January 2015 I deposited with Kent County Council, being the appropriate council, a Statement accompanied by a map showing the property owned by **Heath Farm Limited** edged in red which stated that:

The ways shown in **blue** on that map had been dedicated as bridleways

The ways shown in **yellow** on that map had been dedicated as footpaths

No other ways had been dedicated as public highways over the property owned by **Heath Farm Limited**.

[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 highways have been dedicated over the land edged in red on the map referenced in paragraph 1 above since the Statement deposited on 13<sup>th</sup> January 2013 referenced in paragraph 2 above and at the present time **Heath Farm Limited** has no intention of dedicating any more public rights of way over their property.



**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 coloured  
..... *[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 coloured  
..... *[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: /**

*James Sotherville-Meikle*

**Date:** *19<sup>th</sup> January 2015*

**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.

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