

KENT COUNTY COUNCIL
REGISTER OF DEPOSITS



KCC Reference number: **26/23**

- ✓ Highways Statement
- ✓ Highways Declaration

Date Deposit application received: **09/10/2023**

Date on which any Highways Declaration expires: **02/01/2044**

.....

Details of the land:

Districts	Swale
Parishes	Newnham, Eastling, Throwley, Stalisfield, Ospringe
Address & postcode of buildings on land parcels	Land of the Belmont Estate surrounding Belmont Hosue, Throwley, Faversham. Kent, ME13 0HH
Nearest town/city	Eastling
OS 6-figure grid reference	TQ 977 560

KCC Contact: Definitive Map Officer

Tel: 03000 41 71 71

Email: prow@kent.gov.uk

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 Public Rights of Way and Access Service

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

Charles Cook (C/o Harris (Belmont) Charity
Clarke & Simpson
Well Chase Square
Framlingham, IP13 9DW

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 ...Harris (Belmont) Charity [insert name of owner] who is the owner of the land(s) described in paragraph 4 and in my capacity as [insert details]

Agent

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

Land of the Belmont Estate, surrounding Belmont House, Thrawley
Faversham, Kent ME13 0HH

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

598, 156

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

~~I am~~ [insert name of owner] ... Harris (Belmont) Charity ... is] the owner of the land described in paragraph 4 of Part A of this form and shown edged in ... Red [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 ... Green [insert colouring] on the accompanying map are public bridleways.]

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

No [other] ways over the land shown edged in ... red [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. [I am / *[insert name of owner]* is] the owner of the land described in paragraph 4 of Part A of this form and shown edged in *[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 edged in *[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 edged in
[insert colouring] on the map [accompanying this declaration/referenced in paragraph
1 above] since the statement deposited on *[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, *[insert name of owner]*, am/is] the owner of the land described in paragraph 4 of Part A of this form and shown edged in *[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 edged in *[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):

A solid black rectangular box redacting the signature of the person making the statement of truth.

Print full name:

CHARLES EDWARD COOK

Date: 9/10/2023

You should keep a copy of the completed form



Well Close Square
Framlingham
Suffolk IP13 9DU
Tel: 01728 724200
email@clarkesandsimpson.co.uk



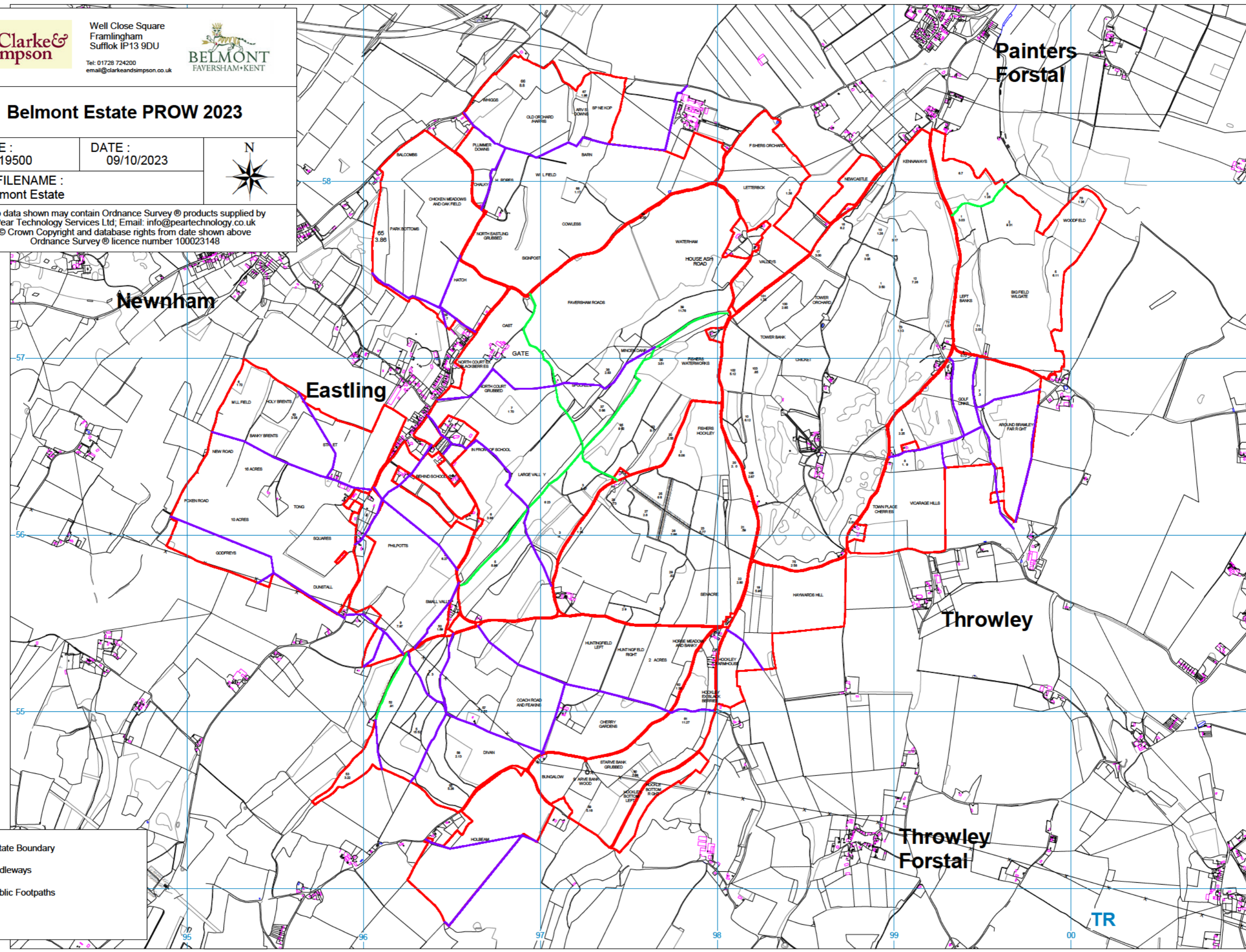
Belmont Estate PROW 2023

SCALE : 1 : 19500
DATE : 09/10/2023



MAP FILENAME : Belmont Estate

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- Estate Boundary
- Bridleways
- Public Footpaths

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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 every owner of land to which the application relates who is an individual, or by a duly authorised representative of every individual owner, 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 1st 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.*

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:
Henry Birch, Clarke & Simpson, Well Close Square, Framlingham, Suffolk IP13 9DU as agent for Harris (Belmont) Charity
- 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 Harris (Belmont) Charity who are the owner of the land(s) described in paragraph 4 and in my capacity as agent.
- 4) Insert description of the land(s) to which the application relates (including full address and postcode):
The Belmont Estate, Throwley, Faversham, Kent, ME13 0HH.
- 5) Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): 598,156
- 6) This deposit comprises the following statement(s) and/or declarations (*delete Parts B, C, or D where not applicable*):

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


1. I am an agent for The Harris (Belmont) Charity, owner 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 09/10/2023.
2. On the 9th day of October 2023 The Harris (Belmont) Charity deposited with Kent County Council, being the appropriate council, a statement accompanied by a map showing Harris (Belmont) Charity's property edged in red which stated that: the ways shown PURPLE on that map and on the map had been dedicated as footpaths and Green as bridleways. No other ways had been dedicated as highways over the property.
3. No additional ways have been dedicated over the land edged in red on the map referenced in paragraph 1 above since the statement dated 9th October 2023 referred to in paragraph 2 above and at the present time The Harris (Belmont) Charity have 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: Henry Birch (Agent) on behalf of

Harris Belmont Charity

Date: 2.4.2024

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.