

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



KCC Reference number: **35/20**

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

Date Deposit application received: **17/12/2020**

Date on which any Highways Declaration expires: **20/01/2041**

.....

Details of the land:

Districts	<b>Canterbury &amp; Folkestone and Hythe</b>
Parishes	<b>Waltham &amp; Elmsted</b>
Address & postcode of buildings on land parcels	<b>Farmland and woodland at Bavinge Farm, Elmsted, Ashford, Kent, TN25 5JF</b>
Nearest town/city	<b>Waltham</b>
OS 6-figure grid reference	<b>TR 105 465</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 deposit statement under section 31(6) of the Highways Act 1980 and/or section 15A(1) of the Commons Act 2006

#### The Kent County Council

An application to deposit a map and statement 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, reference **35/20**. Deposit applications enable a landowner to protect their land against the establishment of any/further public rights of way and/or registration of the land as a village green.

#### PLEASE NOTE:

This deposit does not affect existing recorded public rights of way but may affect any unrecorded 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.

There is no means of objection to this statement.

#### *Description of the land:*

Farmland and woodland at Bavinge Farm, Elmsted, Ashford, Kent, TN25 5JF

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

Waltham -Canterbury

Emstead - Folkestone and Hythe

The deposit was submitted by Ian and Andrew Galbraith and was received by this authority on 17/12/2020

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 – County Hall, Maidstone, Kent, ME14 1XX  
Monday-Friday between the hours of 10.00am-4.00pm. For further information on this subject or to make an appointment to view the register in the office, please contact **Mr William Barfoot on 03000 418674**

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



*Name and Position of Signatory:* Graham Rusling,  
PROW & Access Service Manager

Date: 29<sup>th</sup> January 2021



**This notice may be removed after 29<sup>th</sup> March 2021**

**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:

Ian and Andrew Galbraith  
Bavinge Farm  
Elmsted  
Ashford, Kent, TN25 5JF

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 ..... [*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**):

Farmland and woodland at Bavinge Farm, Elmsted, Ashford, Kent, TN25 5JF

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 105 465

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**

We, Ian and Andrew Galbraith are the owners of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this statement.

Ways shown green on the accompanying map are public bridleways.

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

We, Ian and Andrew Galbraith are the owners of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this statement.

We, Ian and Andrew Galbraith, 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 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 (of the person making the statement of truth):**

**Print full name:**

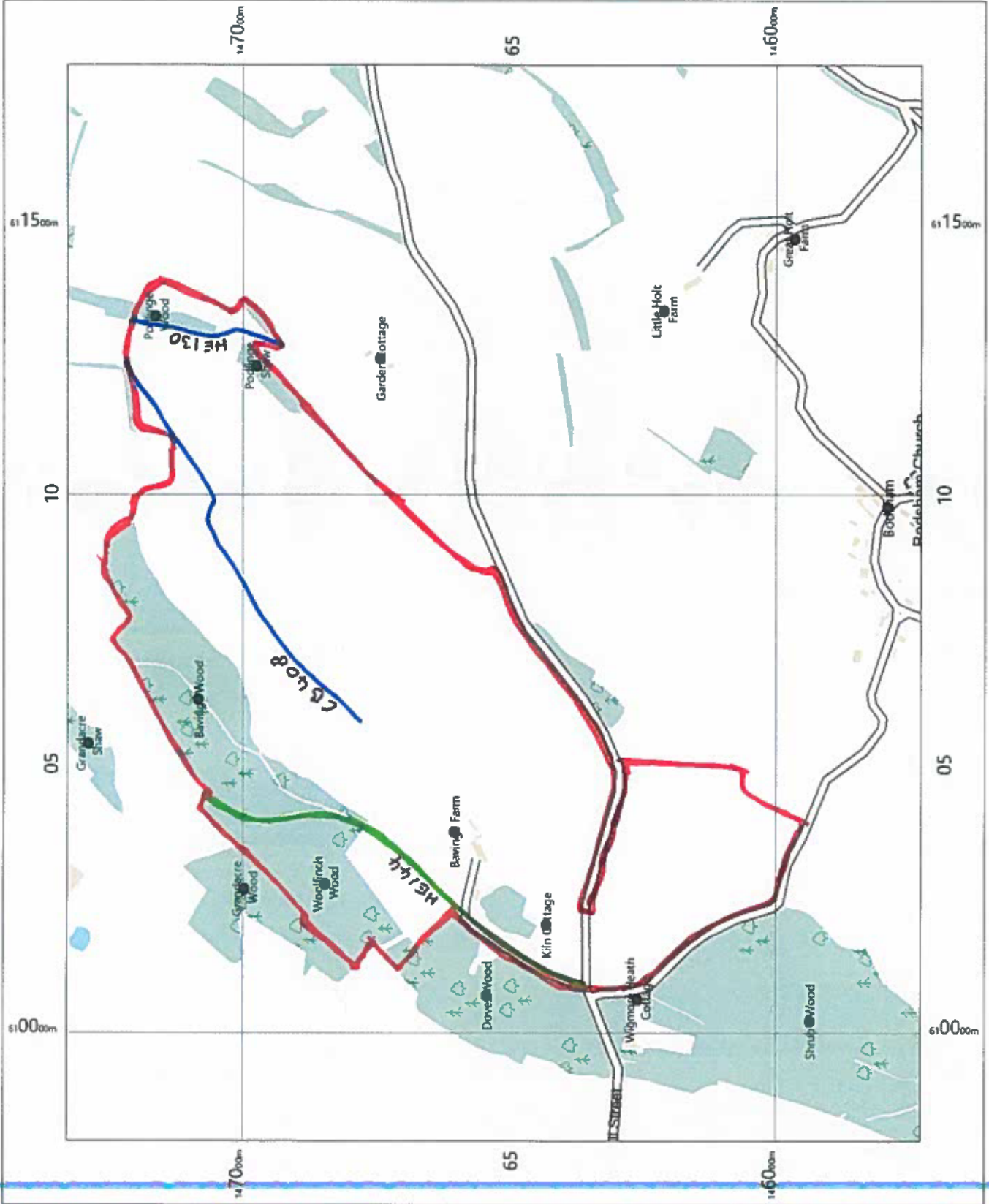
IAN ROY GALBRAITH

**Date:** 01-12-2020

ANDREW S. GALBRAITH.

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

Land at Bavinge Farm



OS OpenMap Local - with Terrain 50  
Monday, November 30, 2020, 10:  
BWI-00921284  
maps.blackwell.co.uk

1:10000 scale print at A4, Centre:  
610800 E, 146529 N

Contains OS data © Crown  
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**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:

Ian and Andrew Galbraith  
Bavinge Farm  
Elmsted  
Ashford, Kent, TN25 5JF

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 ..... [*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**):

Farmland and woodland at Bavinge Farm, Elmsted, Ashford, Kent, TN25 5JF

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 105 465

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, Ian and Andrew Galbraith, are the owners of the land described in paragraph 4 of Part A of this form and shown edged red on the map lodged with Kent County Council on the 17<sup>th</sup> December 2020.

2. On the 17<sup>th</sup> day of December 2020, we Ian and Andrew Galbraith deposited with Kent County Council, being the appropriate council, a statement accompanied by a map showing Ian and Andrew Galbraith's land edged in red which stated that:

The ways shown green on that map had been dedicated as bridleways.

The ways shown blue on that map had been dedicated as footpaths.

No other ways had been dedicated as highways over our 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 deposited on the 17<sup>th</sup> December 2020 referred to in paragraph 2 above other than those bridleways and footpaths marked in the appropriate colour on the map deposited with the council and at the present time Ian and Andrew Galbraith 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)*

Land also known as Wigmore Place Farm

**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:**

IAN ROY GALBRAITH

ANDREW SPENCE GALBRAITH.

**Date:** 05-01-2021

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