

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



KCC Reference number: **HT/132/66**

✓ Highways Declaration

Date Deposit application received: **07/02/1994**

Date on which any Highways Declaration expires: **03/09/2035**

.....

**Details of the land:**

District	<b>Maidstone</b>
Parish	<b>Staplehurst</b>
Address & postcode of buildings on land parcels	<b>Verges adjacent to Chittenden Orchards, Lovehurst Lane, Staplehurst, Kent, TN12 0EX</b>
Nearest town/city	<b>Staplehurst</b>
OS 6-figure grid reference	<b>TQ 784 417</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 lodge a declaration under section 31(6) of the Highways Act 1980 has been made in relation to the land described below and shown edged red on the accompanying map. 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:*

Verges adjacent to Lovehurst Lane

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

Staplehurst - Maidstone

The deposit was submitted by Mr John Breach and was received by this authority on 21/11/2005.

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 **Mrs Maria McLauchlan** on 03000 413420.

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



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

Date: 5<sup>th</sup> October 2015



**This notice may be removed after 5<sup>th</sup> December 2015**

94/J606

# J. R. BREACH

Partners: J. R. BREACH and R. BREACH

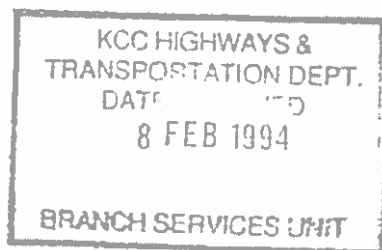
Tel. Staplehurst (0580) 891756

**Chittenden Orchards, Staplehurst, Tonbridge, Kent TN12 0EX**

FRUIT TREES · TREE STAKES · BULK BINS  
CUPRESSUS WINDBREAKS · WIRE NETTING  
ROOTSTOCKS · GRAFTWOOD · HOP POLES

JRB/JAS

Mr R Hoare  
Highways Department  
Kent County Council  
Springfield  
Maidstone  
Kent ME14 2LQ



7 February 1994

Dear Mr Hoare

Following our recent telephone conversation, I am writing to you to say that, under Section 31 (6) of the Highways Act 1980, I do not intend to dedicate any of the verge between my property and Lovehurst Lane as highway.

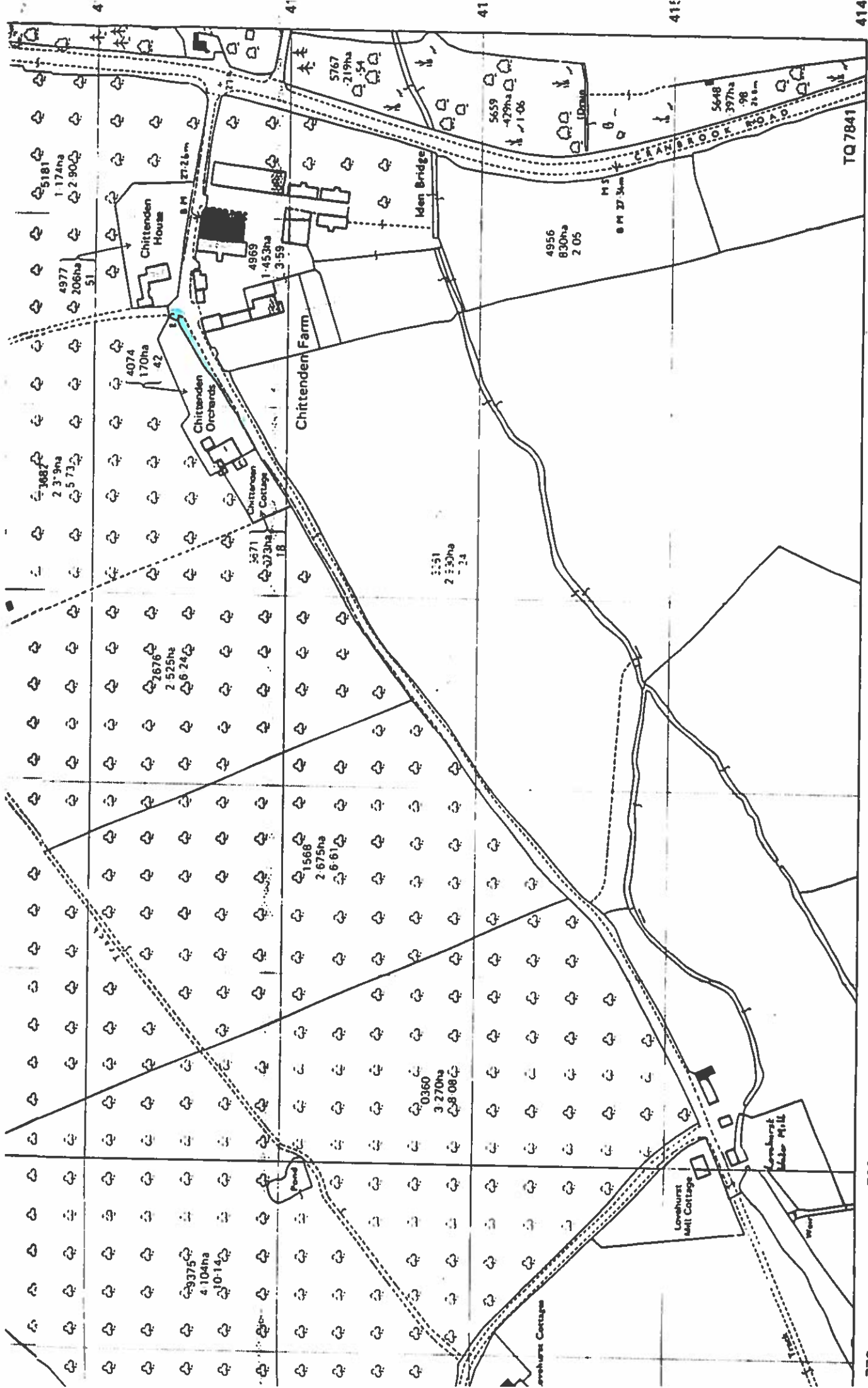
I have had made some signs measuring 5" x 3", bearing the words "HIGHWAY ACT 1980 - THIS VERGE IS PRIVATE AND IS NOT DEDICATED AS HIGHWAY", which I will affix to the walls adjacent to the lane.

I would appreciate it if you would confirm, in writing, that this information has been recorded in your records.

Thank you very much indeed for your help in this matter.

Yours sincerely

J R Breach



779 780 781 782 783 784 786 788 789

411 412 413 414

TQ 7841

**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:

JOHN ROLAND BRENCH  
CHITTENDEN ORCHARDS  
LOVENURST LANE  
STAPLENURST, TONBRIDGE,  
KENT TN12 0EX

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): LAND ADJOINING LOVENURST LANE.

CHITTENDEN ORCHARDS,  
LOVENURST LANE,  
STAPLENURST,  
TONBRIDGE,  
KENT, TN12 0EX

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:

~~Part B (Highways Statement)~~

Part C (Highways Declaration)

~~Part D (Landowner Statement)~~

(delete Parts B, C, or D where not applicable):

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

1. [I am/JOHN ROLAND BREACH..... [insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown IN RED..... [insert colouring] on the map [~~accompanying this declaration~~/lodged with KENT COUNTY COUNCIL..... [insert name] Council on 21/11/2005..... [insert day, month, year]].

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

2. On the 7<sup>th</sup>..... [insert day] day of FEBRUARY 1994..... [insert month, year] [I/my JOHN ROLAND BREACH..... [insert name of owner's] predecessor in title..... [insert name]] deposited with KENT COUNTY COUNCIL..... [insert name] Council, being the appropriate council, a statement accompanied by a map showing [my/JOHN ROLAND BREACH..... [insert name of owner's]] property coloured ...RED..... [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...NONE..... [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as restricted byways]

[the ways shown ...NONE..... [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as bridleways]

[the ways shown ...NONE..... [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/JOHN ROLAND BREACH..... [insert name of owner's]] property].

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

[3. On the 21<sup>st</sup>..... [insert day] day of NOVEMBER 2005..... [insert month, year] [I/my JOHN ROLAND BREACH..... [insert name of owner's] predecessor in

title.....[*insert name*] deposited with  
..KINGSTON COUNTY..... [*insert name*] Council, being the appropriate  
council, a declaration dated 21<sup>ST</sup> NOVEMBER 2005. [*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 .RED.....  
[*insert colouring*] on the map [accompanying this declaration/referenced in paragraph  
1 above] since the statement dated 7.12.1994..... [*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...JOHN...ROLAND...BREACH.....  
[*insert name of owner*]] [have/~~has~~] no intention of dedicating any more public  
rights of way over [my/~~the~~] property.

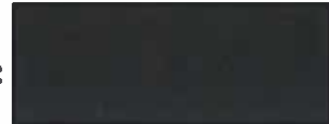
*(delete wording in square brackets as appropriate and/or insert information as  
required)*

**PART 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:** JOHN ROLAND BREACH

**Date:** 1<sup>st</sup> September 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.