

KENT COUNTY COUNCIL
REGISTER OF DEPOSITS



KCC Reference number: **03/24**

- ✓ Highways Statement
- ✓ Highways Declaration

Date Deposit application received: **02/01/2024**

Date on which any Highways Declaration expires: **09/01/2044**

.....

Details of the land:

Districts	Folkestone & Hythe
Parishes	Elham, Stelling Minnis
Address & postcode of buildings on land parcels	Parcel A: Land at Jubilee Farm, south of Gate Lane, west of Chapel Lane and east of Longage Hill, Rhodes Minnis, Canterbury, CT4 6YA. Parcel B: Land at Jubilee Farm, north of Gate Lane, south of Droeway, west of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA. Parcel C: Land at Jubilee Farm, northwest of Cullens Hill, south of Droeway, east of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA. Parcel D: Land at Court Hope Farm, lying to the east of Stone Street, west of High Minnis, south of Curtis

	Lane, Stelling Minnis, Canterbury, CT4 6DS. Parcel E: Land at Court Hope Farm, lying to the east of Stone Street, southeast of High Minnis, north of Park Wood, Stelling Minnis, Canterbury, CT4 6DS.
Nearest town/city	Elham; Stelling Minnis
OS 6-figure grid reference	TR 157 438; TR 141 455

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:

Mr Richard Day
Horton Park Farm
Monks Horton
Ashford, Kent
TN25 6DR

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 Mr Graham Burns who is the owner of the land(s) described in paragraph 4 and in my capacity as Farm Manager.

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

Parcel A: Land at Jubilee Farm, south of Gate Lane, west of Chapel Lane and east of Longage Hill, Rhodes Minnis, Canterbury, CT4 6YA

Parcel B: Land at Jubilee Farm, north of Gate Lane, south of Droveaway, west of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA

Parcel C: Land at Jubilee Farm, northwest of Cullens Hill, south of Droveaway, east of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA

Parcel D: Land at Court Hope Farm, lying to the east of Stone Street, west of High Minnis, south of Curtis Lane, Stelling Minnis, Canterbury, CT4 6DS

Parcel E: Land at Court Hope Farm, lying to the east of Stone Street, southeast of High Minnis, north of Park Wood, Stelling Minnis, Canterbury, CT4 6DS

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 (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

Mr Roland Day 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.

[Ways shown.....**N/A**..... *[insert colouring]* on the accompanying map are byways open to all traffic.]

[Ways shown**N/A**..... *[insert colouring]* on the accompanying map are restricted byways.]

[Ways shown in long green dashes on the accompanying map are public bridleways.]

[Ways shown in short green dashes 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.

(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):

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

Print full name:

RICHARD DAY

Date: 14/12/23

You should keep a copy of the completed form

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

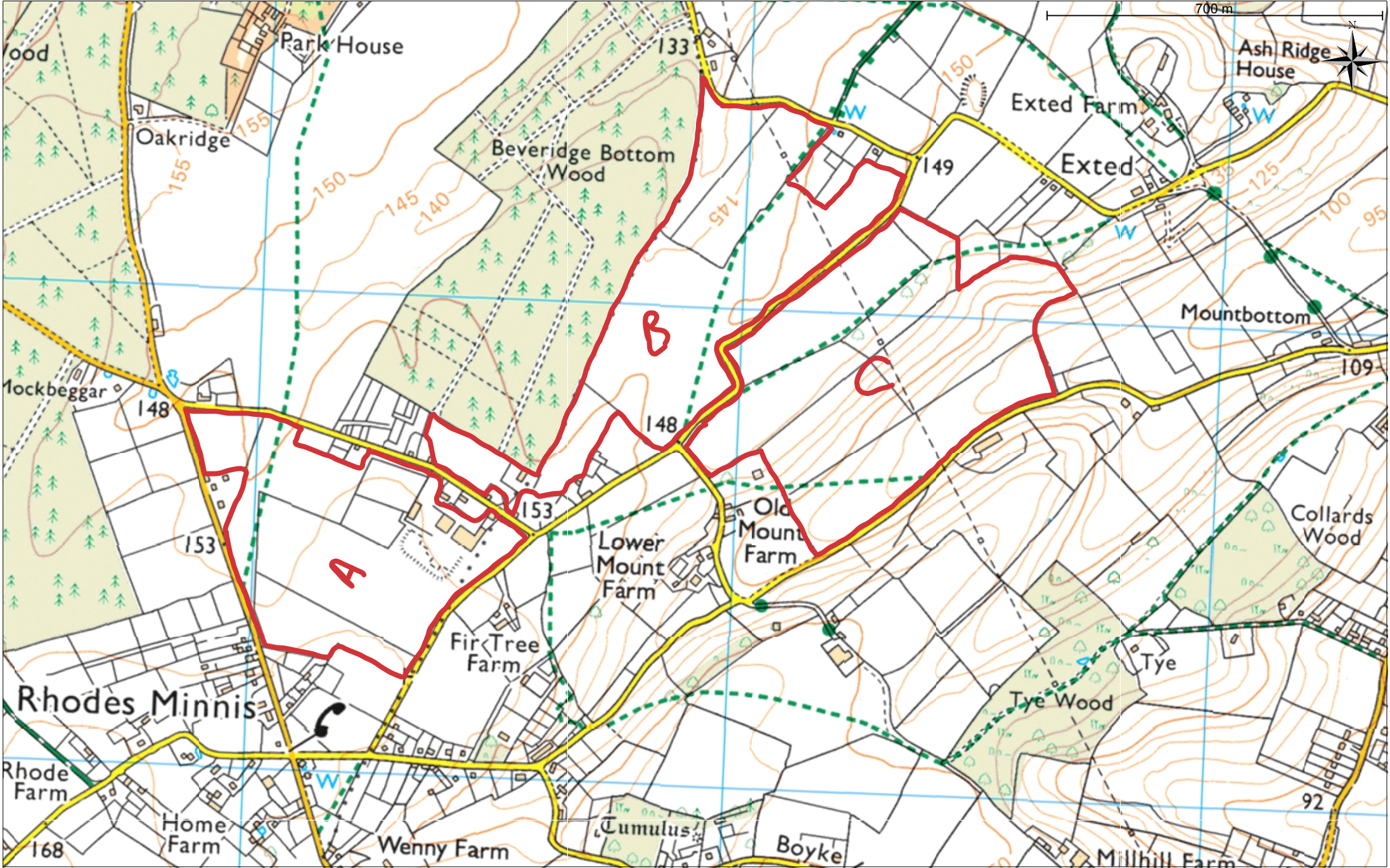
How and why are we processing your personal data?

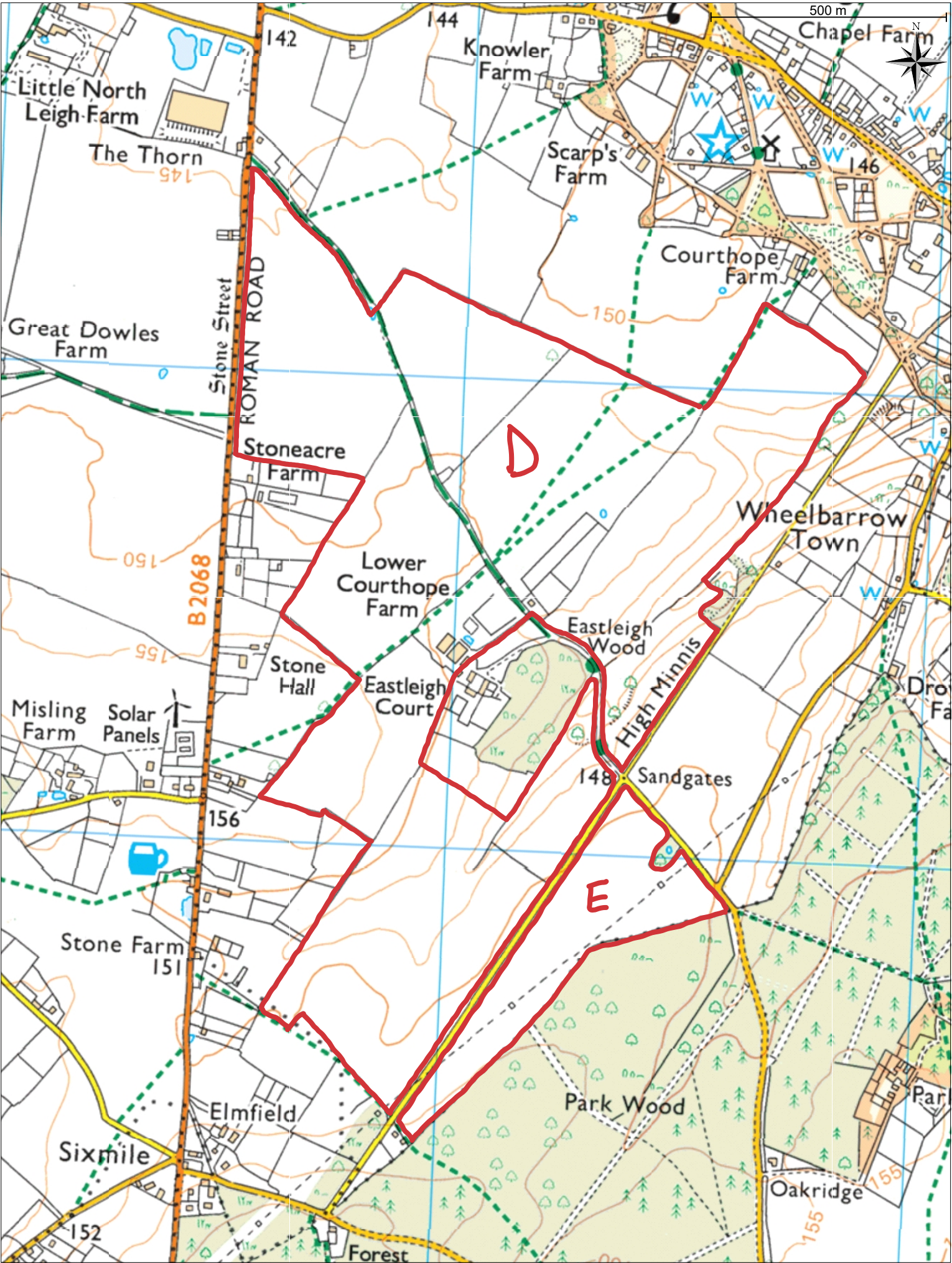
The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

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).





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:

Mr Richard Day
Horton Park Farm
Monks Horton
Ashford, Kent
TN25 6DR

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 Mr Graham Burns who is the owner of the land(s) described in paragraph 4 and in my capacity as Farm Manager.

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

Parcel A: Land at Jubilee Farm, south of Gate Lane, west of Chapel Lane and east of Longage Hill, Rhodes Minnis, Canterbury, CT4 6YA

Parcel B: Land at Jubilee Farm, north of Gate Lane, south of Droveaway, west of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA

Parcel C: Land at Jubilee Farm, northwest of Cullens Hill, south of Droveaway, east of Chapel Lane, Rhodes Minnis, Canterbury CT4 6YA

Parcel D: Land at Court Hope Farm, lying to the east of Stone Street, west of High Minnis, south of Curtis Lane, Stelling Minnis, Canterbury, CT4 6DS

Parcel E: Land at Court Hope Farm, lying to the east of Stone Street, southeast of High Minnis, north of Park Wood, Stelling Minnis, Canterbury, CT4 6DS

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 (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. Graham Burns is the 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 2nd January 2024.

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

2. On the 2nd day of January 2024, Richard Day deposited with Kent County Council, being the appropriate council, a statement accompanied by a map showing Graham Burns' property edged in red which stated that:

[the ways shownn/a..... *[insert colouring]* on that map had been dedicated as byways open to all traffic]

[the ways shown.....n/a..... *[insert colouring]* on that map had been dedicated as restricted byways]

[the ways shown in long green dashes on that map had been dedicated as bridleways]

[the ways shown in short green dashes on that map had been dedicated as footpaths]

[no [other] ways had been dedicated as highways over Graham Burns' property.

(delete if not applicable and delete wording in square brackets as appropriate and/or insert information as required)

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 2nd January 2024 referred to in paragraph 2 above and at the present time Graham Burns has no intention of dedicating any more public rights of way over 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):

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

Print full name: RICHARD DAY

Date: 8/1/24

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).