

R251

ACCESSIBLE SCRIPT COPIED FROM ORIGINAL SCANNED FORM

CA16 DECLARATION

1. Name of appropriate authority to which the application is addressed:

Worcestershire County Council

2. Name and full address of applicant

Mr Andrew Troughton

Carver Knowles

Strensham Business Park

Strensham

Worcestershire

WR89JZ

Status of applicant (tick relevant box or boxes):

I am:

(a) x The owner of the land described in paragraph 4.

(b) making this application and the statements/declarations it contains on behalf of Mr E Righton who is the owner of the land described in paragraph 4 and in my capacity as Land Agent.

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

Elmbrook Farm

Elmley Castle

Pershore

Worcestershire

WR103JA

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

S0979413

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

PART C: DECLARATION

1. Mr E Righton the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map lodged with Worcestershire County Council on 7th November 2016.

2. On the 7th day of November 2016 Mr E Righton deposited with Worcestershire County Council, being the appropriate council, a statement accompanied by a map showing Mr Righton's property edged red which stated that:

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

No other ways had been dedicated as highways over Mr Righton's property.

4. No additional ways have been dedicated over the land edged red on the map referenced in paragraph 1 above since the statement dated 7th November 2016 referred to in paragraph 2 above other than those footpaths marked in blue on that map lodged with Worcestershire County Council on 7th November 2016 and at the present time Mr Righton has no intention of dedicating any more public rights of way over the property.

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

PART E:

Footpath route EC-518 commences adjacent to the farm buildings of Elmbrook Farm. 518 passes north-west through the farmyard and next field until connecting to footpaths EC-517 and EC-513. 518 is currently obstructed by an agricultural building that was erected some years ago. A permissive path (red) has been created branching off of EC-519 along the northeastern boundary to reconnect with 517 and 513.

After discussions with Worcestershire County Council, it is the intention for the permissive path to become a permanent diversion of footpath 518 when the council have sufficient resources. At the current time the Council do not have the resources to formalise the diversion. In the meantime the application has been placed on the expressions of interest list. On the Council's advice we are submitting a Section 31 (6) to avoid the alternative path becoming a public right of way.

Until the Council has the resources to formalise the diversion there is no intention for this permissive path to become a public right of way. For information purposes the footpaths crossing the land and the current permissive path (red) are shown below [Please note this is NOT the supporting map referred to in the statement but is provided for information purposes only].

PART F

Mr Andrew Troughton

Signed 22 November 2016

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 <https://www.gov.uk/town-and-village-greens-how-to-register>. 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 – 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.

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:

Worcestershire County Council

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

**Mr Andrew Troughton
Carver Knowles
Strensham Business Park
Strensham
Worcestershire
WR8 9JZ**

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 E Righton** who is the owner of the land(s) described in paragraph 4 and in my capacity as Land Agent.

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

**Elmbrook Farm
Elmley Castle
Persnore
Worcestershire
WR10 3JA**

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

SO979413

6. This deposit comprises the following declarations

Part C, E and F

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

1. **Mr E Righton** the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map lodged with **Worcestershire County Council** on **7th November 2016**.

2. On the 7th day of November 2016 Mr E Righton deposited with Worcestershire County Council, being the appropriate council, a statement accompanied by a map showing Mr Righton's property edged red which stated that:

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

No other ways had been dedicated as highways over Mr Righton's property.

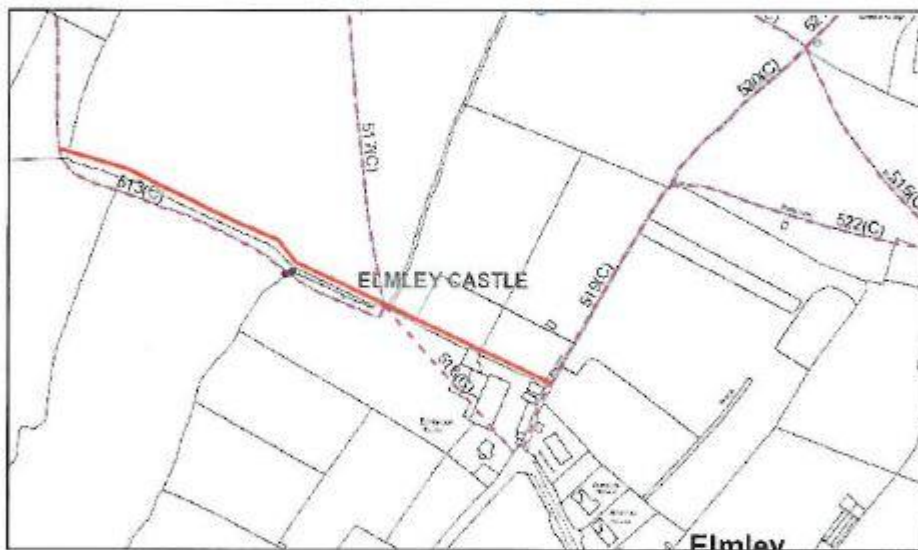
4. No additional ways have been dedicated over the land edged red on the map referenced in paragraph 1 above since the statement dated 7th November 2016 referred to in paragraph 2 above other than those footpaths marked in blue on that map lodged with Worcestershire County Council on 7th November 2016 and at the present time Mr Righton has no intention of dedicating any more public rights of way over the property.

PART E: Additional information relevant to the application

Footpath route EC-518 commences adjacent to the farm buildings of Elmbrook Farm. 518 passes north west through the farmyard and next field until connecting to footpaths EC-517 and EC-513. 518 is currently obstructed by an agricultural building that was erected some years ago. A permissive path (red) has been created branching off of EC-519 along the north eastern boundary to reconnect with 517 and 513.

After discussions with Worcestershire County Council, it is the intention for the permissive path to become a permanent diversion of footpath 518 when the council have sufficient resources. At the current time the Council do not have the resources to formalise the diversion. In the meantime the application has been placed on the expressions of interest list. On the Council's advice we are submitting a Section 31(6) to avoid the alternative path becoming a public right of way.

Until the Council has the resources to formalise the diversion there is no intention for this permissive path to become a public right of way. For information purposes the footpaths crossing the land and the current permissive path (red) are shown below [Please note this is NOT the supporting map referred to in the statement but is provided for information purposes only].



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: Mr Andrew Troughton

Date: 22nd November 2016