

## Deposit R284 – Declaration

### Summary of Information provided in the Application Form for deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006.

This summary is provided for accessibility purposes only. The original application form and deposited plan are provided in full at the end of this document

#### **PART A: Information relating to the applicant and land to which the application relates**

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

Worcestershire County Council

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

Martin Charles Yardley, The Old Orchard, Eden Farm, Ombersley, Worcester, WR9 0JX

##### **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. Description of the land(s) to which the application relates :**

Farmland at The Old Orchard, Eden Farm, Ombersley, Worcester, WR9 0JX

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

No information provided

**6. This deposit comprises the following statement(s) and/or declarations**

No information provided

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

This section does not need to be completed for a declaration and contains no relevant text.

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

1. I am Martin Charles Yardley 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 Worcestershire County Council on 20 January 2020.

2. On the 20th day of January 2020 I, Martin Charles Yardley predecessor in title (Mr WO & MA Yardley) deposited with Worcestershire County Council, being the appropriate council, a statement accompanied by a map showing Martin Yardley's property edged in red which stated that:

~~Ways shown shaded in..... on the accompanying map are byways open to all traffic.~~

~~Ways shown shaded in ..... on the accompanying map are restricted byways.~~

~~Ways shown shaded in ..... on the accompanying map are public bridleways.~~

Ways shown shaded in bold black on the accompanying map are public footpaths.

no other ways had been dedicated as highways over Three Counties Agricultural Society's property.

[3. On the 26th day of January 2020, I Martin Charles Yardley deposited with Worcestershire County Council, being the appropriate council, a declaration dated 26 January 2020, stating that no additional ways other than those marked in the appropriate colour on the map accompanying that declaration had been dedicated as footpaths since the deposit of the statement referred to in paragraph 2 above.

4. No additional ways have been dedicated over the land on the map accompanying this declaration/referenced in paragraph 1 above since the statement dated 20 January 2020 referred to in paragraph 2 above. Since the date of the declaration referred to in paragraph 3 above other than those highways marked in the appropriate colour on the map accompanying this declaration and at the present time, I, Martin Charles Yardley, owner of the land, have 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**

This section does not need to be completed for a declaration and contains no relevant text.

## **PART E: Additional information relevant to the application**

No information provided

## **PART F: Statement of Truth**

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS FORM ARE TRUE

Statement signed by:

Martin Charles Yardley  
26 January 2020

## Scans of Original Documents

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:  
MARTIN CHARLES YAROLEY  
THE OLD ORCHARD EDEN FARM OMBERSLEY NE DROITWICH WORCESTER
3. Status of applicant (tick relevant box or boxes): WR9 0JX  
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):  
FARM LAND  
THE OLD ORCHARD EDEN FARM OMBERSLEY WORCESTER WR9 0JX
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 (delete Parts B, C, or D where not applicable):

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

[I am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [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 [insert colouring] on the accompanying map are public bridleways.]

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

No [other] ways over the land shown [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**

MARTIN CHARLES YARDLEY

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 [insert colouring] on the map [accompanying this declaration/lodged with [insert name] WORCESTERSHIRE Council on [insert day, month, year]].

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

20.01.20

MARTIN CHARLES YARDLEY

MR WOLMA.  
YARDLEY

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 [insert colouring] which stated that:

(MARTIN YARDLEY)

RED

[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]

BOLD BLACK

[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)

26<sup>th</sup>

JANUARY 2020

MARTIN CHARLES YARDLEY

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 [insert colouring] on the map [accompanying this declaration/referenced in paragraph 1 above] since the statement dated [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 am/[insert name of owner] is] the owner of the land described in paragraph 4 of Part A of this form and shown [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 [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):

Print full name: MARTIN CHARLES YAROLEY

Date: 26.01.2020

**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.