



**APPLICATION FOR DEPOSITS UNDER
S.31(6) HIGHWAYS ACT 1980 AND
S.15A(1) COMMONS ACT 2006**

**The Commons (Registration of Town or Village Greens)
and Dedicated Highways (Landowner Statements and
Declarations) (England) Regulations 2013
Schedule 1 Regulation 2(2)(a)**

FORM
CA16

Please read the following guidance carefully before completing this form

1. Please refer to these notes when completing this form. Further guidance relating to completion of this form is available from <https://www.gov.uk/town-and-village-greens-how-to-register>.
2. Parts A and F must be completed in all cases. Please use BLOCK CAPITALS only.
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 a 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 Survey 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.

PART A**INFORMATION ABOUT THE APPLICANT AND LAND TO WHICH THE APPLICATION RELATES** *(all applicants must complete this Part)*

To: Swindon Borough Council ("the appropriate authority")

1. Full name and address of applicant:

JOHN CLIFFORD OF WALNUT TREE COTTAGE,
BLUNSDON, SWINDON

Postcode SN26 7AS

2. Status of applicant (tick relevant box):

I am ☐ (a) the owner of the land(s) described in paragraph 3.

☒ (b) making this application and the statements/declarations it contains on behalf
of ⁽¹⁾ BLUNSDON HOUSE HOTEL LIMITED
who is the owner of the land(s) described in paragraph 3 and in my capacity
as ⁽²⁾ DIRECTOR OF THE COMPANY

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

THAT LAND EDGED RED ON THE PLAN LODGED
WITH SWINDON BOROUGH COUNCIL ON 1 SEPTEMBER 2016
AND KNOWN AS LAND LYING TO THE NORTH OF
ERMIN STREET, BLUNSDON, SWINDON AND
REGISTERED WITH TITLE NUMBER WT 91840

4. Six-figure map reference(s)⁽³⁾ of a point within the area of land(s) to which the application relates (if known) e.g. 415492 184607:

4 _____ 1 _____ ; 4 _____ 1 _____ ; ⁽⁴⁾ 4 _____ 1 _____ ⁽⁴⁾

5. This deposit comprises the ~~statement(s)~~ and/or declarations overleaf.
(score through **Parts B, C or D** where not applicable)

Notes

⁽¹⁾ Insert full name of landowner

⁽²⁾ State relationship to landowner (e.g. agent, executor, trustee)

⁽³⁾ Comprising 2 sets of six figures; please use OSGB co-ordinates (eastings and northings) taken from the relevant OS map(s), or visit www.gridreferencefinder.com

⁽⁴⁾ Delete if not required

PART B

STATEMENT IN ACCORDANCE WITH SECTION 31(6) HIGHWAYS ACT 1980

[I am/⁽¹⁾..... is] the owner of the land described in paragraph 3 of **Part A** of this form and shown ⁽²⁾..... on the map accompanying this statement.

[Ways shown ⁽³⁾..... on the accompanying map are byways open to all traffic.]

[Ways shown ⁽³⁾..... on the accompanying map are restricted byways.]

[Ways shown ⁽³⁾..... on the accompanying map are public bridleways.]

[Ways shown ⁽³⁾..... on the accompanying map are public footpaths.]

No [other] ways over the land shown ⁽²⁾..... on the accompanying map have been dedicated as highways.

(delete wording in square brackets as appropriate)

Notes

⁽¹⁾ or insert full name of landowner

⁽²⁾ Indicate how land is shown (e.g. "outlined in red")

⁽³⁾ Indicate how paths or ways are shown (e.g. "as brown lines", "coloured green")

PART C**DECLARATION****IN ACCORDANCE WITH SECTION 31(6) HIGHWAYS ACT 1980**

1. ~~I am~~⁽¹⁾ BLUNSDON HOUSE HOTEL LIMITED is the owner of the land described in paragraph 3 of **Part A** of this form and shown ⁽²⁾ EDGED RED on the map ~~accompanying this declaration~~/lodged with Swindon Borough Council on ⁽³⁾ 11/9/16.
2. On the ⁽⁴⁾ 1ST day of ⁽⁵⁾ SEPTEMBER 2016 ~~I/my~~⁽¹⁾ BLUNSDON HOUSE HOTEL LTD's predecessor in title ⁽⁶⁾ EDGED RED deposited with Swindon Borough Council, being the appropriate council, a statement accompanied by a map showing ~~my~~⁽¹⁾ BLUNSDON HOUSE HOTEL LTD's property ⁽²⁾ EDGED RED which stated that:
- ~~[the ways shown~~⁽⁷⁾ EDGED RED ~~on that map [and on the map accompanying this declaration] had been dedicated as byways open to all traffic]~~
- ~~[the ways shown~~⁽⁷⁾ EDGED RED ~~on that map [and on the map accompanying this declaration] had been dedicated as restricted byways]~~
- ~~[the ways shown~~⁽⁷⁾ EDGED RED ~~on that map [and on the map accompanying this declaration] had been dedicated as bridleways]~~
- ~~[the ways shown~~⁽⁷⁾ EDGED RED ~~on that map [and on the map accompanying this declaration] had been dedicated as footpaths]~~
- ~~[no other] ways had been dedicated as highways over~~⁽¹⁾ BLUNSDON HOUSE HOTEL LTD's property].
3. ~~On the~~⁽⁴⁾ 20 day of ⁽⁵⁾ SEPTEMBER 2016 ~~I/my~~⁽¹⁾ BLUNSDON HOUSE HOTEL LTD's predecessor in title ⁽⁶⁾ EDGED RED deposited with Swindon Borough Council, being the appropriate council, a declaration dated ⁽³⁾ 20/8/16 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.]
4. No additional ways have been dedicated over the land ⁽²⁾ EDGED RED on the map ~~accompanying this declaration~~/referenced in paragraph 1 above since the statement dated ⁽³⁾ 20/8/16 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/my~~⁽¹⁾ BLUNSDON HOUSE HOTEL LTD ~~have/has~~ no intention of dedicating any more public rights of way over ~~my/the~~ property.

(delete wording in square brackets as appropriate)

Notes

⁽¹⁾ or insert name of landowner

⁽²⁾ Indicate how land is shown (e.g. "outlined in red")

⁽³⁾ Insert date in figures

⁽⁴⁾ Insert day

⁽⁵⁾ Insert month and year

⁽⁶⁾ Insert name of predecessor

⁽⁷⁾ Indicate how paths or ways are shown (e.g. "as brown lines", "coloured green")

PART D**STATEMENT****IN ACCORDANCE WITH SECTION 15A(1) COMMONS ACT 2006**

[I am/⁽¹⁾..... is] the owner of the land described in paragraph 3 of **Part A** of this form and shown ⁽²⁾.....on the map [accompanying this statement/deposited with Swindon Borough Council on ⁽³⁾...../...../.....].

[I/⁽¹⁾.....] [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 ⁽²⁾.....on the [accompanying map/map referenced above].

(delete wording in square brackets as appropriate)

Notes

- ⁽¹⁾ or insert name of landowner
- ⁽²⁾ Indicate how land is shown (e.g. "outlined in red")
- ⁽³⁾ Insert date in figures

PART E**ADDITIONAL INFORMATION***(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:

John Aiffars

Date:

6 October 2016

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.

Swindon Borough Council complies with current Data Protection legislation. For further information, please contact the Data Protection Controller at Swindon Borough Council, Civic Offices, Euclid Street, Swindon SN1 2JH.