

KENT COUNTY COUNCIL
REGISTER OF DEPOSITS



KCC Reference number: **32/22**

- ✓ Highways Statement
- ✓ Landowner Statement
- ✓ Highways Declaration

Date Deposit application received: **23/11/2022**

Date on which any Highways Declaration expires: **12/12/2042**

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Details of the land:

Districts	Tonbridge & Malling, Tunbridge Wells
Parishes	Hadlow, Tonbridge, Capel
Address & postcode of buildings on land parcels	Land on the south side of Postern Lane, Tonbridge, TN11 0QX Postern Park Farm, Postern Lane, Tonbridge TN11 0QT
Nearest town/city	Tonbridge
OS 6-figure grid reference	TQ 609 466

KCC Contact: Definitive Map Officer

Tel: 03000 41 71 71

Email: 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 deposit a map and statement and subsequently lodge a declaration under section 31(6) of the Highways Act 1980 and deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the land described below and shown edged red on the accompanying map, reference **33/22**. 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:

Land on the south side of Postern Lane, Tonbridge, TN11 0QX

Postern Park Farm, Postern Lane, Tonbridge TN11 0QT

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

Hadlow, Tonbridge - Tonbridge & Malling; Capel - Tunbridge Wells

The deposit was submitted by Miss Esther Goodhew (Lambert and Foster) for Thomas David Foley and was received by this authority on 23/11/2022

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 **Mr William Barfoot on 03000 41 86 74**

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

Name and Position of Signatory: Graham
Rusling,
PROW & Access Service Manager



Date: 23rd December 2022



This notice may be removed after 23rd February 2023

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:

Miss Esther Goodhew of Lambert and Foster
77 Commercial Road
Paddock Wood, Kent
TN12 6DS

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 Thomas David Foley who is the owner of the land(s) described in paragraph 4 and in my capacity as an Agent – Rural Surveyor

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

Land on the south side of Postern Lane, Tonbridge, TN11 0QX

Postern Park Farm, Postern Lane, Tonbridge TN11 0QT.

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

TQ609 466 and TQ602 464

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

Thomas David Foley 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 in purple 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

PART D:

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

Mr Thomas David Foley 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.

Thomas David Foley wishes to bring 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 edged in red on the accompanying map.

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):

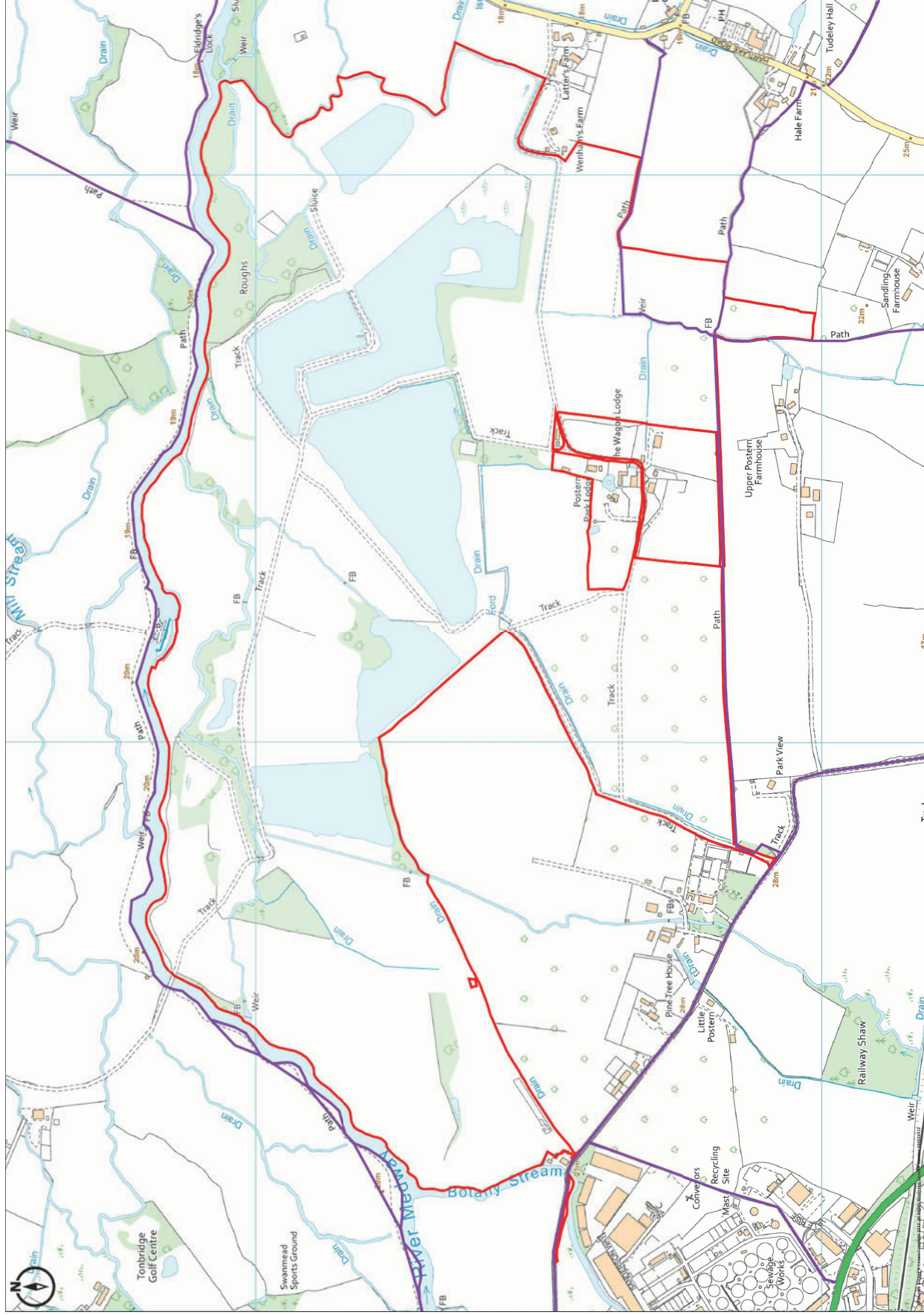


Print full name: ESTHER GOODHEW

Date: 23/11/2022

You should keep a copy of the completed form

**Land on the south side of Postern Lane, Tonbridge, TN11 0QX
Postern Park Farm, Postern Lane, Tonbridge TN11 0QT.**



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:

Miss Esther Goodhew of Lambert and Foster
77 Commercial Road
Paddock Wood, Kent
TN12 6D

3. Status of applicant (tick relevant box or boxes):

I am

the owner of the land(s) described in paragraph 4.

making this application and the statements/declarations it contains on behalf of
Thomas David Foley who is the owner of the land(s) described in paragraph 4 and
in my capacity as Agent – Rural Surveyor.

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

Land on the south side of Postern Lane, Tonbridge, TN11 0QX

Postern Park Farm, Postern Lane, Tonbridge TN11 0QT

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

TQ609 466 and TQ602 464

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. Thomas David Foley 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 declaration and on the map lodged with Kent County Council on 23rd November 2022
2. On the 23rd day of November 2022 I, Esther Goodhew, on behalf of the owner Thomas David Foley deposited with Kent County Council, being the appropriate council, a statement accompanied by a map showing Mr Thomas David Foley properties edged in red which stated that:

The ways shown in purple on that map and the map accompanying this declaration had been dedicated as footpaths.

No other ways had been dedicated as highways over Mr Thomas David Foley's property.

4. No additional ways have been dedicated over the land edged in red on the map accompanying this declaration and that referenced in paragraph 1 above since the statement deposited on 23rd November 2022 referred to in paragraph 2 above and at the present time Mr Thomas David Foley has no intention of dedicating any more public rights of way over the property.

PART E:
Additional information relevant to the application

The land hatched black on the accompanying plan is not included in this 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):

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

Print full name: ESTHER GOODHEW

Date: 12th December 2022

You should keep a copy of the completed form

Land on the south side of Postern Lane, Tonbridge, TN11 0QX
Postern Park Farm, Postern Lane, Tonbridge TN11 0QT.

