

Form CA17

Notice of landowner deposits under section 15A(1) of the Commons Act 2006

Cumbria County Council

An application to deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the land described below and shown outlined in red on the accompanying map.

PLEASE NOTE:

This deposit may affect rights over the land described below. 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

www.gov.uk/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form

Description of the land:

HELBECK ESTATE, BROUGH, KIRKBY STEPHEN, CUMBRIA CA17 4DD

The deposit was submitted by **Mr David Stead and Mrs Katherine Stead** and was received by this authority on 11th February 2021.

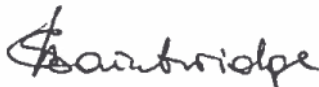
The authority maintains a register of maps, statements and declarations deposited under section 15B of the Commons Act 2006.

This register can be accessed online on

<http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/thecommonsact2006/landownerstatements.asp> or can be inspected free of charge by appointment only at the address below:

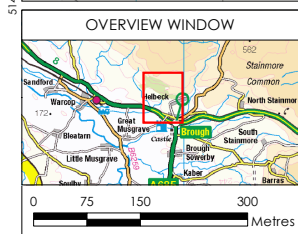
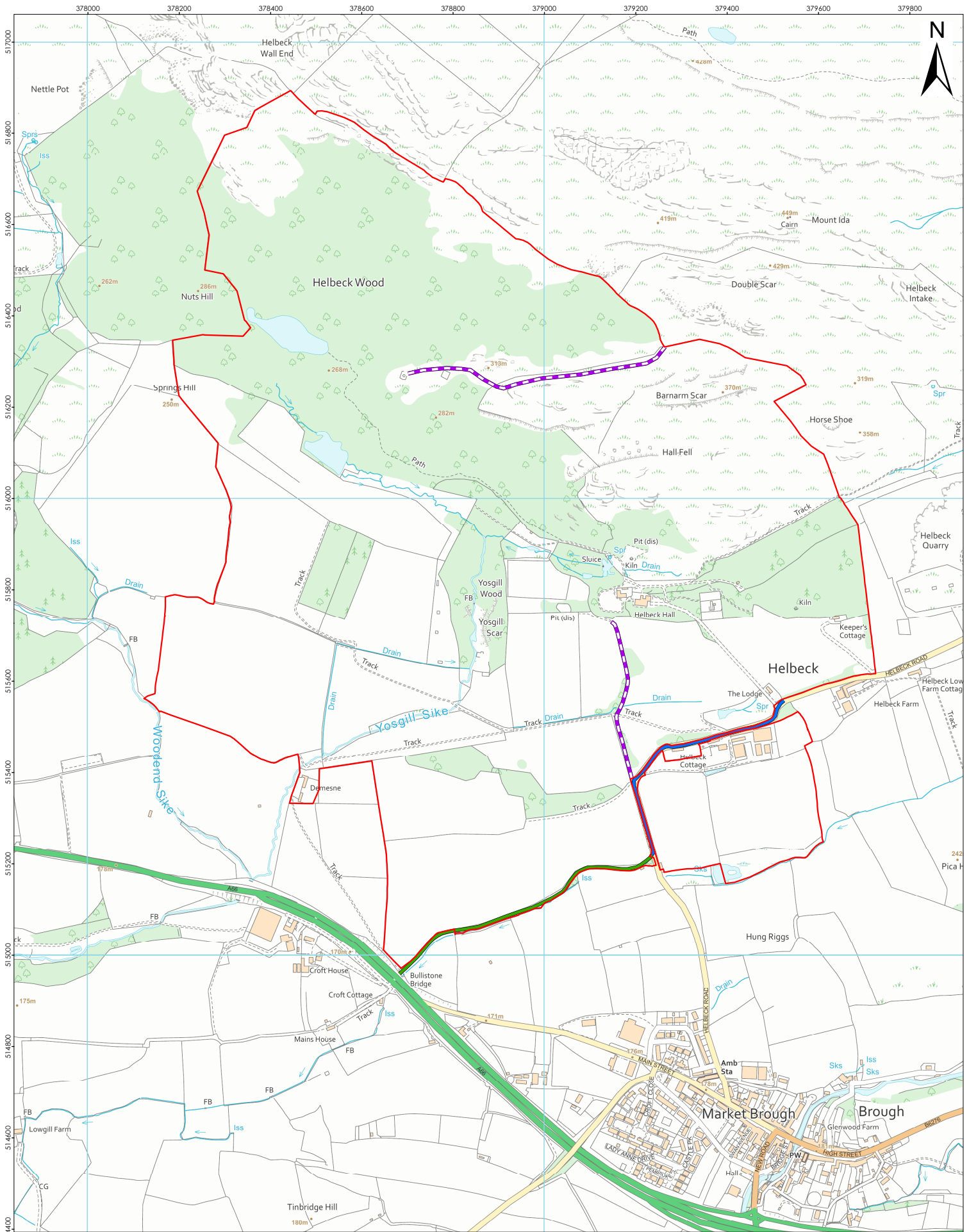
Any representations with respect to this Notice can be sent in writing to The Commons Registration Service, Lady Gillford's House, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ or via email at commons.registration@cumbria.gov.uk

Signed on behalf of Cumbria County Council:



.....
Svetlana Bainbridge – Commons Registration Officer

Dated: 17th February 2021



REVISION: A

CLIENT: Mr D and Mrs K Stead

SCHEME: s.31 Highway Plan

TITLE: Helbeck Estate


SCALE: 1:7,500 @ A3

DATE: 12/11/2020

LEGEND:

- Land of interest = 461.15 ac
- Adopted Highway (Unclassified) – Helbeck Road to Old Quarry U3314 101
- Permissive Footpaths
- Public Footpath – no. 329 0012

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The Estates Office
Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ
Telephone 01530 412821
Fax: 01530 413896

DRAWING NO:
HELBECK-2020-11-NI-PT
Helbeck Estate - s.31 Highway Plan

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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.

**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:

Cumbria County Council

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

- (1) **Mr David Stead**
- (2) **Mrs Katherine Stead**

Helbeck Hall, Brough, Kirkby Stephen, Cumbria, CA17 4DD

c/o Fisher German LLP, The Estates Office, Norman Court, Ashby de la Zouch, Leicestershire, LE65 2UZ

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 **(1) Mr David Stead and (2) Mrs Katherine Stead** who are the owners of the land(s) described in paragraph 4 and in my capacity as **Agent**.

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

Helbeck Hall, Brough, Kirkby Stephen, Cumbria, CA17 4DD

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

NY788160

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

(1) Mr David Stead and (2) Mrs Katherine Stead are the owners of the land described in paragraph 4 of Part A of this form and shown **edged red** on the map accompanying this statement.

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

1. Ways shown **blue** on the accompanying map are unclassified public highways.
2. Ways shown **green** on the accompanying map have been dedicated as footpaths
3. Way shown **dashed purple** on the accompanying map are permissive footpaths

No other ways over the land shown **edged red** on the accompanying map have been dedicated as highways.

(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

(1) Mr David Stead and (2) Mrs Katherine Stead are the owners of the land described in paragraph 4 of Part A of this form and shown **edged red** on the map accompanying this statement.

(1) Mr David Stead and (2) Mrs Katherine Stead wish 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 **edged red** on the 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)

None

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.

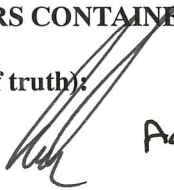
I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS FORM ARE TRUE

Signature (of the person making the statement of truth):

Print full name: Mr David Merton MRICS

Date: 11th JANUARY 2021

You should keep a copy of the completed form


AGENT AND PARTNER
OF FISHER GERMAULLY
AGENT FOR HELBECK
& STEADS.

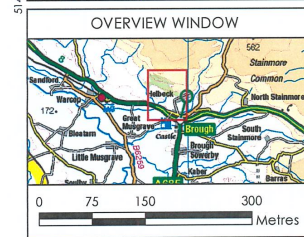
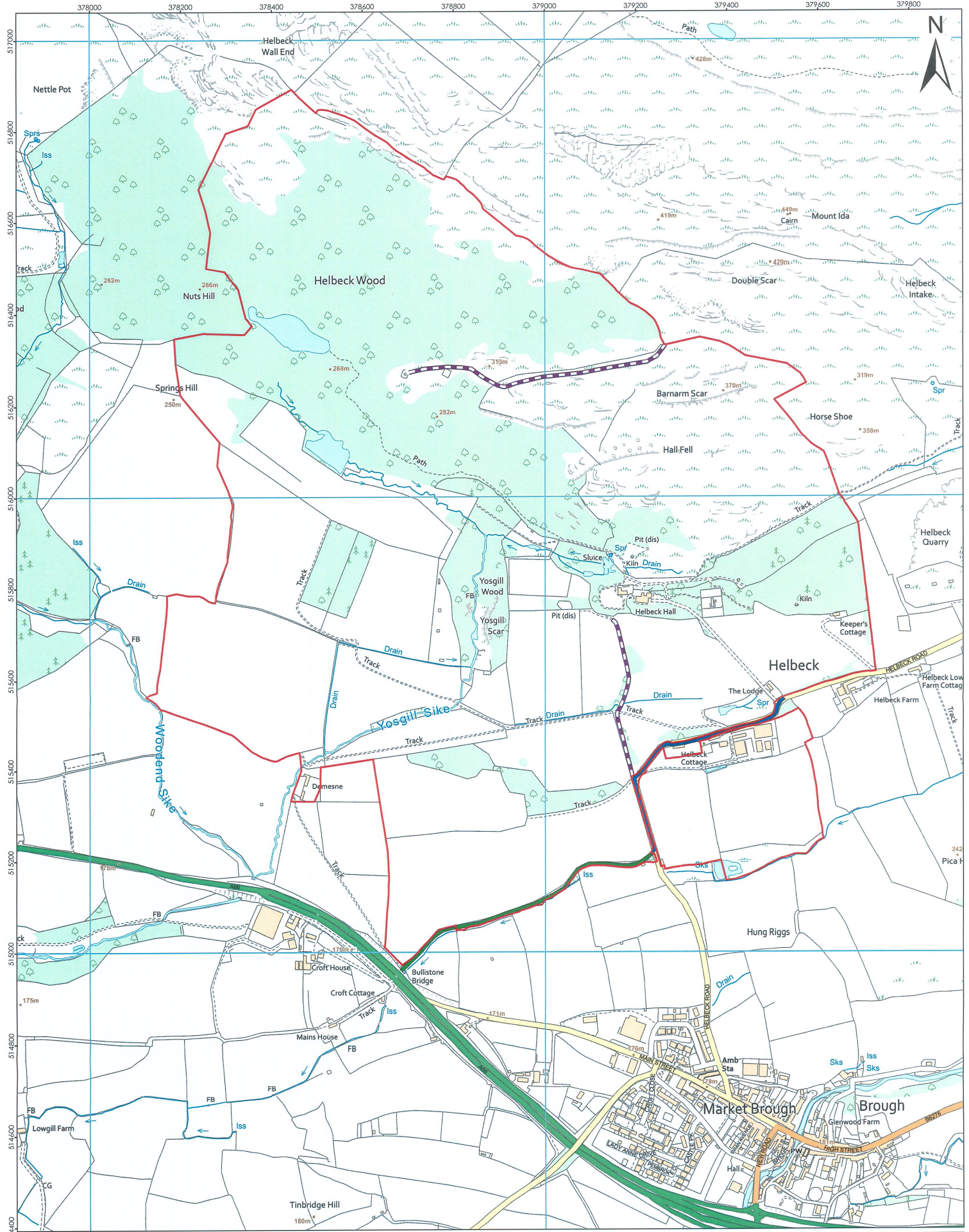
Data Protection Act 1998 - Fair Processing Notice

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.




REVISION: A
 CLIENT: Mr D and Mrs K Stead
 SCHEME: s.31 Highway Plan
 TITLE: Helbeck Estate
 SCALE: 1:7,500 @ A3
 DATE: 12/11/2020


LEGEND:

- Land of interest = 461.15 ac
- Adopted Highway (Unclassified) – Helbeck Road to Old Quarry U3314 101
- Permissive Footpaths
- Public Footpath – no. 329 0012

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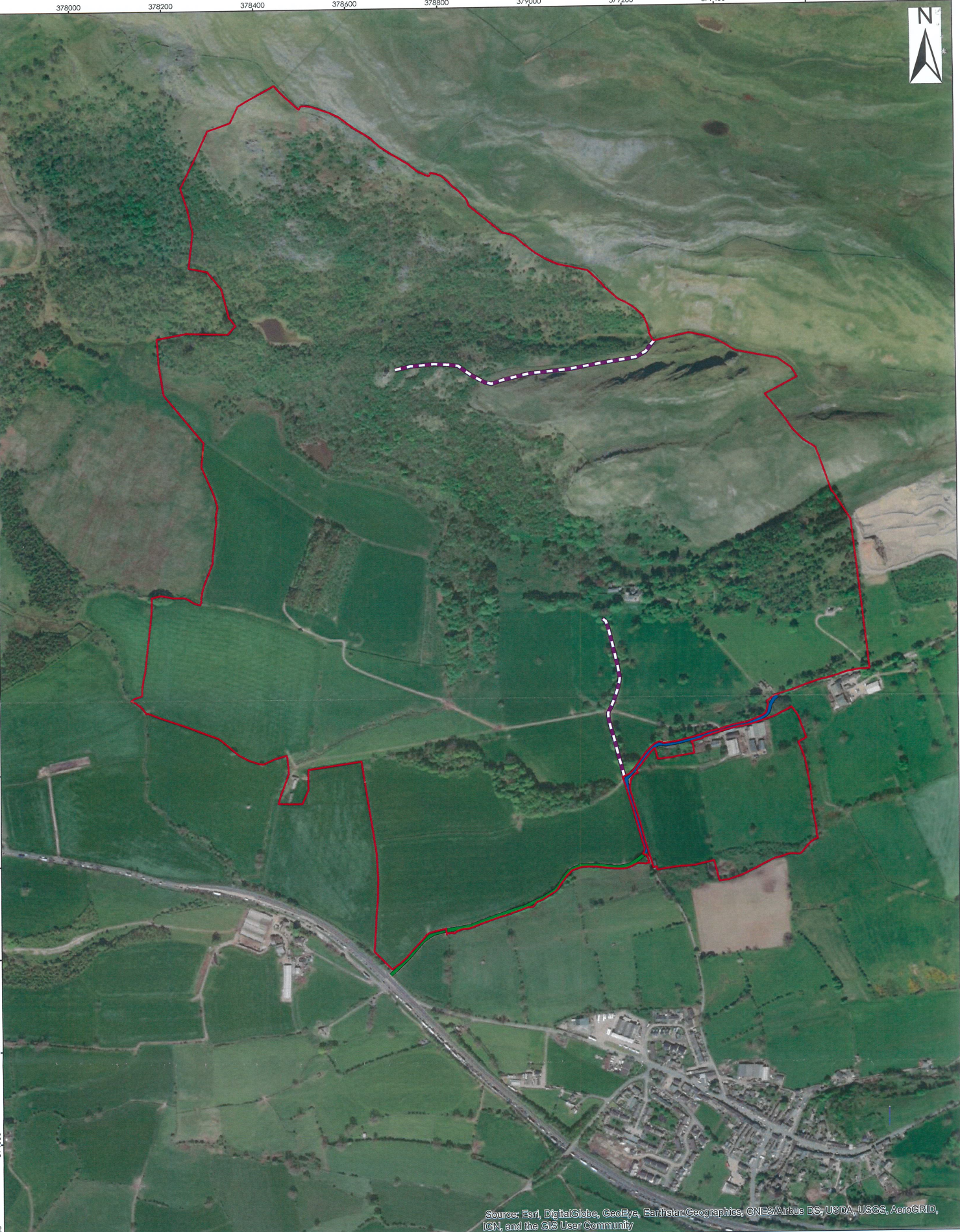


The Estates Office
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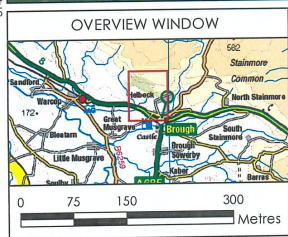
DRAWING NO:
HELBECK-2020-11-NI-TP
Helbeck Estate - s.31 Highway Plan

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



OVERVIEW WINDOW	REVISION: A
	CLIENT: Mr D and Mrs K Stead
	SCHEME: s.31 Highway Plan
	TITLE: Helbeck Estate
	SCALE: 1:7,500 @ A3
	DATE: 12/11/2020

LEGEND:
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