

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 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:

LAND AT MOSSBAY, WORKINGTON,
ALLERDALE, CUMBRIA

The deposit was submitted by Hearthstone Homes Limited and was received by this authority on 17th June 2016.

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:



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Svetlana Bainbridge – Commons Registration Officer

Dated: 22nd September 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.

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: HEARTHSTONE HOMES LIMITED,
ORCHARD HOUSE, STRAWBERRY HOW ROAD, COCKERMOUTH, CUMBRIA CA13 9XQ

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
HEARTHSTONE HOMES LIMITED who is the owner of the land(s) described in paragraph 4 and in my
capacity as a DIRECTOR OF THE COMPANY.

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

LAND AT MOSSBAY, WORKINGTON, CUMBRIA COMPRISED IN LAND REGISTRY TITLE
NUMBER CU233245 SHOWN EDGED RED ON THE ATTACHED TITLE PLAN.

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

NX9826NE

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

HEARTHSTONE HOMES LIMITED is the owner of the land described in paragraph 4 of Part A of this
form and shown EDGED RED on the map accompanying this statement.

Ways shown coloured green on the accompanying map are public footpaths.

No other ways over the land shown EDGED RED on the accompanying map have been dedicated as
highways.

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

NONE

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

HEARTHSTONE HOMES LIMITED is the owner of the land described in paragraph 4 of Part A of this
form and shown EDGED RED on the map accompanying this statement.

HEARTHSTONE HOMES LIMITED/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 EDGED
RED on the accompanying map.

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: DAVID ROBERT HILL

Date: 17 June 2016

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.

Land Registry
Official copy of
title plan

Title number CU233245
Ordnance Survey map reference NX9826
Scale 1:2500 reduced from 1:1250
Administrative area Cumbria : Allerdale

Works

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