

FORM CA17: NOTICE OF LANDOWNER DEPOSITS UNDER SECTION 31(6) OF THE HIGHWAYS ACT 1980

Nottinghamshire County Council

An application to lodge a declaration under section 31(6) of the Highways Act 1980 has been made in relation to the land (or lands) described below and shown edged in red on the accompanying map.

PLEASE NOTE:

This deposit may affect 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. For further information, please see guidance at; **www.gov.uk**.

Description of the land(s):

Land at Manor Farm, Gamston, Retford

Name of the Parish in which the land(s) is situated: Gamston

The deposit was submitted on behalf of the Landowner Mr M N Howard, Manor Farm

The authority maintains a register of maps, statements and declarations deposited under section 31A of the Highways Act 1980 and section 15B of the Commons Act 2006. This Landowner Declaration Register can be accessed online at: http://www.nottinghamshire.gov.uk or can be inspected free of charge by appointment at the Countryside Access Team, Nottinghamshire County Council, County Hall, West Bridgford, Nottingham. For further information please Contact Mary Mills Telephone 0115 977 5680 (Office opening hours: Mon. to Fri. 9:00am to 4:30pm).

Signed on behalf of Nottinghamshire County Council

Gary Wood: Group Manager, Highways and Transport

Date: 17th November 2021

Garn Wood.



SCHEDULE 1

Regulation 2(2)(a)

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 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 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.
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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:
NOTTINGHAMSHIRE COUNTY COUNCIL
2. Name and full address (including postcode) of applicant:
MICHAEL NELSTROP HOWARD, MANOR FARM, GAMSTON, RETFORD, NOTTINGHAMSHIRE
3. Status of applicant (tick relevant box or boxes):
I am
(a) X 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):
LAND KNOWN AS MANOR FARM, GAMSTON, RETFORD, NOTTINGHAMSHIRE
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):

F.2.

,

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

- 1. I am MICHAEL NELSTROP HOWARD the owner of the land described in paragraph 4 of Part A of this form and shown EDGED RED lodged with NOTTINGHAMSHIRE COUNTY COUNCIL on 6 AUGUST 1996
- 3. On the 27 DAY OF FEBRUARY 2002 I deposited with NOTTINGHAMSHIRE COUNTY COUNCIL being the appropriate council, a declaration dated 14 FEBRUARY 2002 stating that no additional ways had been dedicated since the deposit of the statement referred to in paragraph 1 above.

On the 24 DAY OF OCTOBER 2011 I deposited with NOTTINGHAMSHIRE COUNTY COUNCIL being the appropriate council, a declaration dated 24 OCTOBER 2011 stating that no additional ways had been dedicated since the deposit of the statement referred to in paragraph 1 above. However, there was an accidental error in this declaration which failed to mention that, as a result of a Public Inquiry in 2004, the right of way known as Footpath 2 runs across part of the land and is shown hatched black on the attached map.

4. No additional ways have been dedicated over the land EDGED RED on the map referenced in paragraph 1 above since the date of the declaration referred to in paragraph 3 above and at the present time I have no intention of dedicating any more public rights of way over my property.

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: MICHAEL NELSTROP HOWARD

Date:

14th Odober

You should keep a copy of the completed form

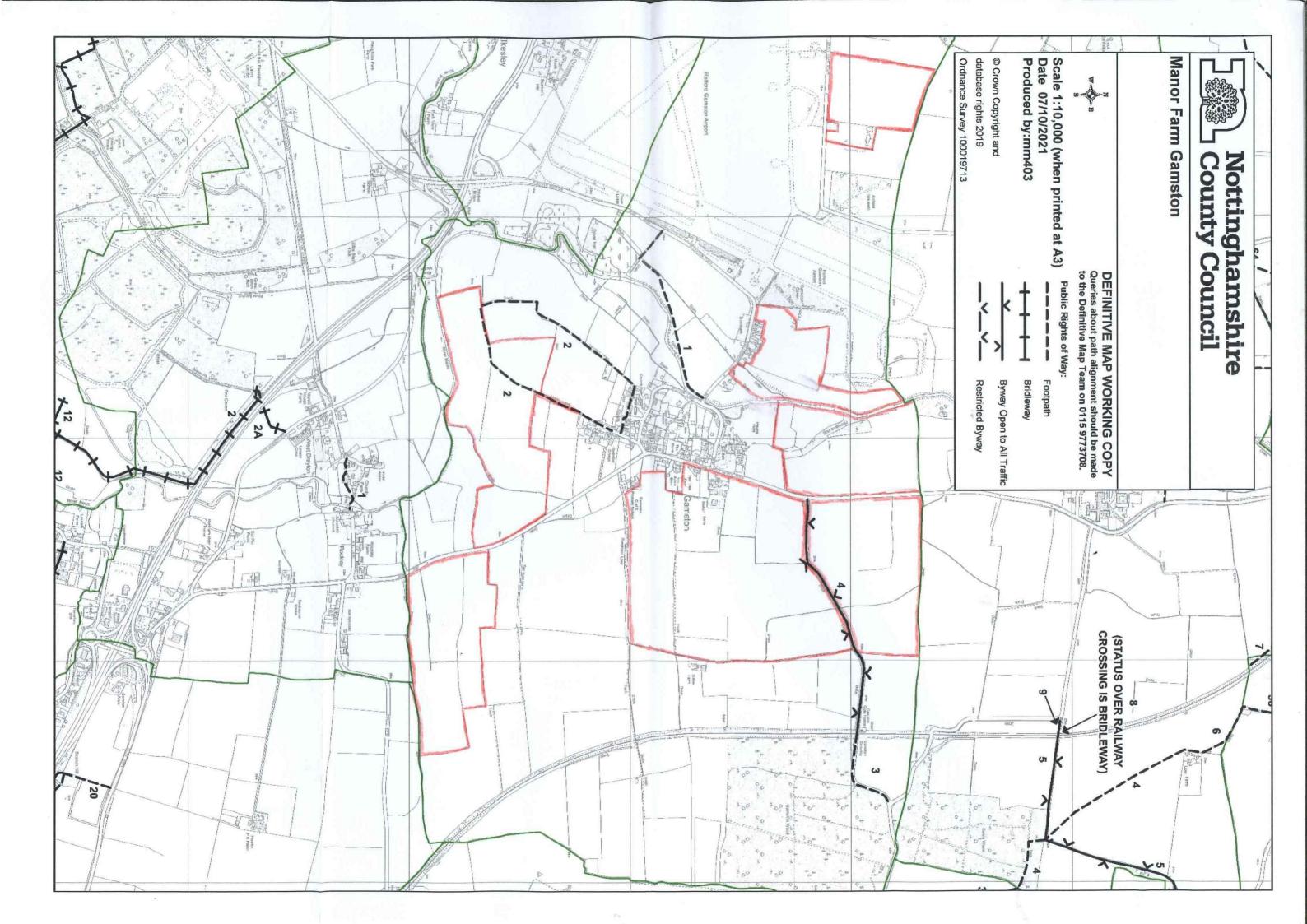
Data Protection Act 1998 - Fair Processing Notice

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.





Your Ref: Our Ref: MMW/SW/HOW0118-0017 Date: 28/10/11 0 1 NOV 2011 125804.

Senior Definitive Map Officer Environment Department Nottinghamshire County Council Trent Bridge House Fox Road West Bridgford Nottingham NG2 6BJ

Dear Sirs

Section 31(6) of The Highways Act 1980 Land at Gamston, Retford, Nottinghamshire

We enclose two self-explanatory statutory declarations, each made by Michael Nelstrop Howard and Evelyn Joy Howard on 24 October 2011, receipt of which please acknowledge.

Yours faithfully

ROYTHORNES LLP Direct Dial: 01775 842585

E-mail: michaelwhitmore@roythornes.co.uk

enc stat decs (2)

Also at:

Newmarket Nottingham Peterborough

Roythornes LLP is a limited liability partnership registered in England and Wales with number OC343074, Registered office: Enterprise Way, Pinchbeck, Spalding PE1 | 3YR.

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A list of the members of the LLP is available at the registered office.

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www.roythornes.co.uk

ROYTHORNES solicitors ROYTHORNES LLP DATED 74th Older 2011	
STATUTORY DECLARATION OF MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD	
MMW/HOW0118-0017/STAT DEC I	
THE MALTINGS HIGH STREET, BURWELL CAMBRIDGESHIRE CB25 OHB PET 1 3YR Telephone: 01638 744620 ENTERPRISE WAY PINCHBECK, SPALDING LINCOLNSHIRE PET 1 3YR PET 1 XS Telephone: 01775 842500 Telephone: 01775 842500 Telephone: 01773 558585 Telephone: 0115 9484555	

8...

WE MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD of Manor Farm Gamston Retford Nottinghamshire do solemnly and sincerely declare as follows:

- 1. Prior to 24 September 1996 we deposited a map of part of our land at Gamston Retford Nottinghamshire ("Our Land") with Nottinghamshire County Council together with a statement dated 5 February 1996 denying that any of the ways over Our Land had been dedicated by us for the use of the public as highways.
- 2. Prior to 24 September 1996 we deposited with Nottinghamshire County Council a statutory declaration dated 27 February 1996 stating that since the deposit of the statement referred to above no ways over Our Land had been dedicated by us for the use of the public as highways.
- 3. Prior to 9 March 2002 we deposited with Nottinghamshire County Council a statutory declaration dated 14 February 2002 stating that since the deposit of the statement referred to above no ways over Our Land had been dedicated by us for the use of the public as highways.
- 4. Since the statutory declaration dated 14 February 2002 referred to above no ways over Our Land have been dedicated by us for the use of the public as highways.

AND we make this solemn declaration conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835

MMW/HOW0118-0017/STAT DEC 1

Declared at The Hollies hondon Roal) A Relford Nothinghamelin) & this 24th day of October 2011)

Before me

A Solicitor/Commissioner for Oaths

LIMAS.

EPE.TH/JM1 Tim Hart (0115) 977 4395 (0115) 977 2414 8th March 2002

Roythorne & Co. 10 Pinchbeck Road Spalding Lincs. PE11 1PZ

1st Class

Dear Sirs

NOTTINGHAMSHIRE COUNTY COUNCIL DEPOSIT OF STATEMENT AND PLAN AND STATUTORY DECLARATION -SECTION 31(6) OF THE HIGHWAYS ACT 1980 PARISH:

GAMSTON

NAME OF LANDOWNERS: MICHAEL NELSTROP HOWARD & EVELYN JOY

HOWARD

NAME OF PROPERTY:

MANOR FARM, GAMSTON, RETFORD

I wish to acknowledge the receipt of your deposited Statement and Plan and Statutory Declaration on 27 February 2002.

The information contained in the Declaration will be held by this Authority as validation for the contents of the Statement and Plan. It will be necessary for you or your successors to renew the Statutory Declaration every six years, commencing from the date of the initial Statutory Declaration.

Any changes to your land holding or to the rights of way information in your initial Statement and Plan should be notified to the Rights of Way section, and should also be identified within a new Statutory Declaration covering a modified Statement and

Yours faithfully

Tim Hart Senior Definitive Map Officer Your Reference:

Our Reference: MMW(PRO).118-6

Date:

18 February 2002

Planning and Economic Department Nottingham County Council DX 10022 **NOTTINGHAM**



ROYTHORNE & CO

10 PINCHBECK ROAD SPALDING LINCS PE11 1PZ

Telephone: 01775 724141 Fax: 01775 725736 DX: 26701 Spalding www.roythorne.co.uk e-mail roythome@roythome.co.uk

Dear Sirs

Section 31(6) Highways Act 1980 - Land at Gamston, Retford, Nottinghamshire

We enclose a self-explanatory Statutory Declaration made by Michael Nelstrop Howard and Evelyn Joy Howard on 14th February 2002, receipt of which please acknowledge.

Yours faithfully



Roythorne & Co

Enc



P.J. BREWSTER G.C.H. SMITH Notary Public G.R. HARROD A.J. PLUMMER

P.R. OSBORNE Managing Partner

J.F.R. DANKS M.W. FIELDING

G.M. ORTON

G.B. ENGLAND

T.C. WATKINSON T.G. F001111

P. COOKSON

MARIE L. EVANS

VEMBER MORTLOCK

Senior Associate

JEANETTE L. SHARPE

RECEIVED 2 2 FEB 2002 PLANNING

ASSOCIATED FIRMS IN : BELGIUM, FRANCE, GERMANY, SPAIN

Regulated by the Law Society



DATED

14 February

2002

STATUTORY DECLARATION

OF

MICHAEL NELSTROP HOWARD AND EVELYN JOY HOWARD

MMW/HOW118- STAT. DEC.

10 PINCHBECK ROAD SPALDING LINCOLNSHIRE PE11 1PZ TELEPHONE: 01775 724141

8 THE ROPEWALK NOTTINGHAM NG1 5DT TELEPHONE : 0115 9484555

WE MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD of Manor Farm Gamston Retford Nottinghamshire do solemnly and sincerely declare as follows:

- On 23rd September 1996 we deposited a map of our land at Gamston 1. Retford Nottinghamshire with Nottinghamshire County Council together with a statement denying that any of the ways over that land had been dedicated to the public.
- 2. Since such deposit and statement no ways have been dedicated by us for the use of the public as highways.

AND we make this solemn declaration conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835

Declared at Pethod this 14th day of tebruary 2002

Before me II Man

A Solicitor/Commissioner for Oaths

JACKSON QUINN
7 GROVE STREET
RETFORD, NOTTS.
DN22 6NN
TEL: 01777 703111

23rd September?





19 The Square • Retford • Notts DN22 6DH Tel (01777) 702261 • Fax (01777) 860093 • DX 27157 Retford

12 September 1996

Our Ref: MBB:RAC:KEP:H046.005 Your Ref:

PTC:JR:ME9

Group Manager (Countryside)
Nottinghamshire County Council
Trent Bridge House
Fox Road
West Bridgford
NOTTINGHAM
NG2 6BJ

Dear Sirs

Section 31(6) Highways Act 1980

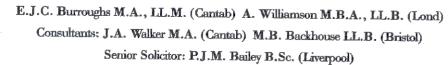
Thank you for your letter of the 15th August with enclosures. We now enclose the Statutory Declaration sworn by our clients in support of the statement dated the 25th July 1996 already deposited with you as acknowledged by your Mr Hart on the 6th August 1996.

Please acknowledge safe receipt and confirm that all your requirements have now been complied with.

Yours faithfully

WALKERS





This firm is regulated by the Law Society in the conduct of Investment Business.

Documents sent to us by facsimile will not be accepted as properly served without our express consent.





NOTTINGHAMSHIRE COUNTY COUNCIL STATUTORY DECLARATION SECTION 31 (6) OF THE HIGHWAYS ACT 1980

We MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD of Manor Farm Gamston Retford Nottinghamshire DN22 OPY DO SOLEMNLY AND SINCERELY DECLARE as follows:-

- We are and have been since 10th September 1992 the owners of the land know as Manor Farm Gamston Retford Nottinghamshire more particularly delineated on the plan accompanying this declaration and thereon edged red.
- On the 25th day of July 1996 MICHAEL NELSTROP HOWARD and EVENLY JOY HOWARD deposited with Nottinghamshire County Council, being the appropriate Council, a statement accompanied by a plan delineating our property by red edging which stated that there are no definitive or dedicated Rights of Way over our property.
- With reference to 2 above, we MICHAEL NELSTROP HOWARD and EVELYN JOY 3. HOWARD confirm that there are no additional public ways over the land edged red on the Plan and in the Statement dated 25th July

AND WE MAKE this solemn declaration on the day of 1996 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at East Retford in the Country of Notting handhire

Before me

Commissioner for Oaths/Solicitor









34

19 The Square • Retford • Notts DN22 6DH Tel (01777) 702261 • Fax (01777) 860093 • DX 27157 Retford

Our Ref: MBB/WJC/HO46/005

Your Ref: PTC.JR/SM10/43

8 August 1996

Group Manager (Countryside)
Nottinghamshire County Council
Planning and Economic Development
Trent Bridge House
Fox Road
West Bridgford
Nottingham
NG2 6BJ

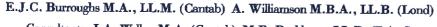
Dear Sir

Section 31(6) of The Highways Act 1980

Further to our letter of the 30 July, we now enclose supporting Statutory Declaration sworn by Mrs E J and Mr M N Howard. Please acknowledge safe receipt of all documents we have submitted to you.

Yours faithfully





Consultants: J.A. Walker M.A. (Cantab) M.B. Backhouse LL.B. (Bristol)
Senior Solicitor: P.J.M. Bailey B.Sc. (Liverpool)

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NOTTINGHAMSHIRE COUNTY COUNCIL

STATUTORY DECLARATION

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

We, MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD of Manor Farm

Gamston Retford Nottinghamshire DN22 OPY DO SOLEMNLY AND SINCERELY

DECLARE as follows:-

- We are and have been since 10th September 1992 the owners of the land known as Manor Farm Gamston Retford Nottinghamshire more particularly delineated on the plan accompanying this declaration and thereon edged red.
- 2. On the 25th day of 1996, we, MICHAEL

 NELSTROP HOWARD and EVELYN JOY HOWARD deposited with Nottinghamshire

 County Council, being the appropriate Council, a statement accompanied

 by a plan delineating our property by red edging which stated that

 there were no definitive or dedication Rights of Way over our property.
- 3. There are no additional ways over the land edged red on the plan accompanying this declaration since the statement dated 1996 referred to in 2 above.

AND WE MAKE this solemn declaration on the Sixth day of August 1996 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at East Retford in the County of Nottinghamshire

Before me,

Solicitor

MBB/WJC/H046/005 PTC.JR/ME9 Mr J Reid (0115) 977 4234 (0115) 977 2414 15 August 1996

Walkers
Solicitors
19 The Square
RETFORD
Notts
DN22 6DH

1st Class

For the attention of Mr Backhouse

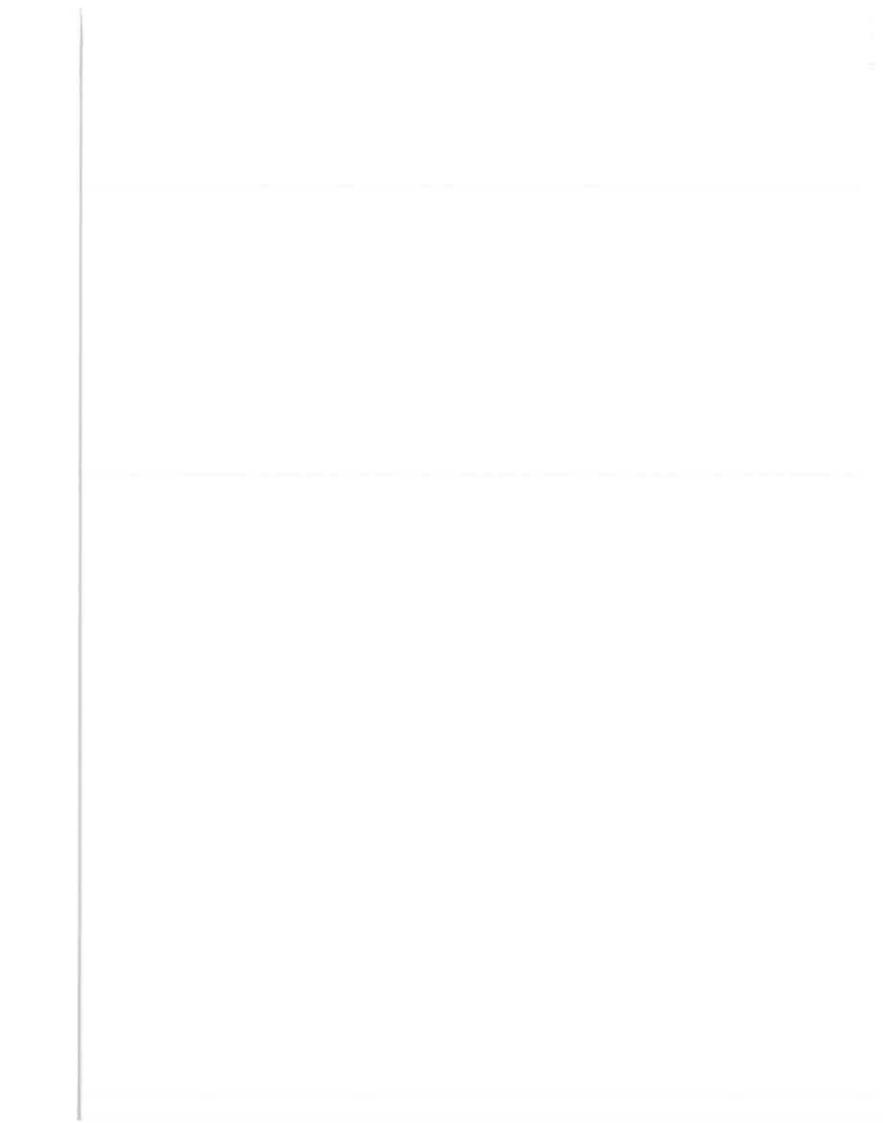
Dear Sirs

SECTION 31(6) HIGHWAYS ACT 1980

Further to our telephone conversation on the 15 August 1996 concerning the above Act and the new format of the declaration and statement. Please find attached the necessary document together with your client's land holding plan.

Yours faithfully

for Group Manager (Countryside)







19 The Square • Retford • Notts DN22 6DH Tel (01777) 702261 • Fax (01777) 860093 • DX 27157 Retford

Our Ref:

MBB/WJC/H046/005

30 July 1996

Your Ref:

PTC.JR/SM10/43

Group Manager (Countryside)
Nottinghamshire County Council
Planning and Economic Development
Trent Bridge House
Fox Road
West Bridgford
Nottingham
NG2 6BJ

Dear Sir

Section 31(6) of The Highways Act 1980

We enclose Statement and Plan by way of Deposit on behalf of our clients, Mrs E J and Mr M N Howard. Please acknowledge safe receipt.

Yours faithfully





E.J.C. Burroughs M.A., LL.M. (Cantab) A. Williamson M.B.A., LL.B. (Lond)

Consultants: J.A. Walker M.A. (Cantab) M.B. Backhouse LL.B. (Bristol)

Senior Solicitor: P.J.M. Bailey B.Sc. (Liverpool)

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Documents sent to us by facsimile will not be accepted as properly served without our express consent.



NOTTINGHAMSHIRE COUNTY COUNCIL

DEPOSIT OF STATEMENT AND PLAN

SECTION 31 (6) OF THE HIGHWAYS ACT 1980

To: Group Manager (Countryside), Nottinghamshire County Council

- We are and have been since 10th September 1992 the owners within the meaning of the above section of the land known as Manor Farm Gamston Near Retford Nottinghamshire more particularly delineated on the attached plan accompanying this statement and thereon edged red.
- 2. The aforementioned land lies in the Parish of Gamston.
- 3. No ways over the land have been dedicated as highways.
- 4. The deposit shall comprise this statement and accompanying plan.

Name: MICHAEL NELSTROP HOWARD and EVELYN JOY HOWARD

Address: Manor Farm Gamston Retford Nottinghamshire DN22 OPY

Date: 25th NSQ 1996

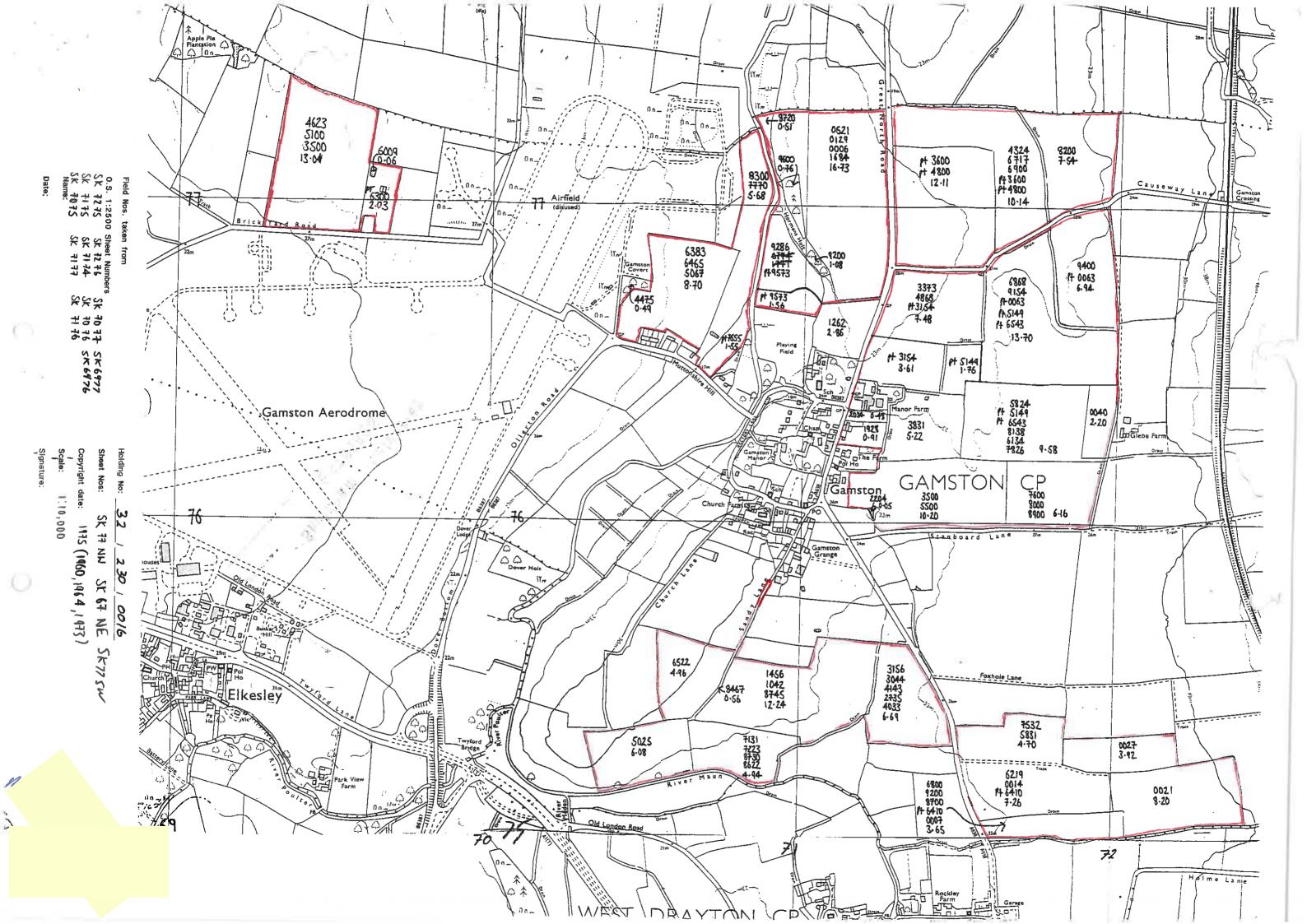
Signed (witness)

Name (of witness) MILHAEL BRIAN BACKHOUSE

Address: 19 THE SAUALE RETFORD

NOTTY DN22 6 DH

Occupation:



MBB/WJC/H046/005 PTC.JR/SM10/43 Mr J Reid (0115) 977 4234 (0115) 977 2414 13 March 1996

Walkers Solicitors 19 The Square RETFORD Notts DN22 6DH

1st Class

Dear Sir

SECTION 31(6) OF THE HIGHWAYS ACT 1980

Thank you for your correspondence of 27 February in relation to the above act. Unfortunately I am unable to accept your depositions due to the clerical error in reference to the aforementioned act.

I enclose for your perusal and subsequent completion printed declaration and statement forms with the correct heading.

Yours faithfully

for Group Manager (Countryside)

Land, Monor Farm & Michael Meletrop Woward.

Eameton. Evelyn Joy Woward.



P.JR/ME6/43 Mr J Reid DL 774234 4 May 1993

Michael Howard Esq Manor Farm Gamston RETFORD Notts

1st Class

Dear Sir

DECLARATION UNDER THE HIGHWAYS ACT 1980 SECTION 31(b)

Nottinghamshire County Council hereby acknowledge receipt of the above declaration showing land in your ownership at Gamston, Nr Retford, Nottinghamshire.

May I take this opportunity to remind you that the declaration remains in force for 6 years.

Yours faithfully

for Group Manager (Countryside)

V472183

MANOR FARM, GAMSTON, RETFORD, NOTTS.



Tel. 0777 838223

/4thApril 1993

Dear Sirs,

Under section 31 (6) of the HIGHWAYS Act 1980, I wish to deposit an acknowledgement of the dedicated rights of way which cross my land.

I enclose a map on the scale of 6" to 1 mile showing:-

- 1. Marked in red, the boundaries of my properties and land.
- 2.Marked in blue, the statutory rights of way which I acknowledge to cross my land.

Please register this acknowledgement under the provisions of the above mentioned Act.

Yours Faithfully,

The Footpaths Officer,
The Highways Department,
Nottinghamshire County Council,
Planning and Economic Development,
Trent Bridge House,
Fox Road,
West Bridgeford,
Nottingham, NG2 6BJ



