



THE HIGHWAYS ACT 1980 –
SECTION 31(6)

**DEPOSIT OF MAPS, STATEMENTS AND STATUTORY
DECLARATIONS SUMMARY SHEET**

Title and/or description of land referred to	Escomb Farm and land at Escomb
Districts	Wear Valley
Parish	Bishop Auckland
Ordnance Survey grid reference (6 figure all NZ)	NZ 183305, NZ 187305, NZ 189303
Land Post Codes	DL15 8AU, DL14 7SU, DL14 7SY, DL14 7SZ
Documents deposited by	Colin Michael Firby and Joan Elizabeth Firby Greencroft Farm Etherley Bishop Auckland Co Durham DL14 0EY
Date of deposit of map and highway statement (received by Council)	04 December 2020
Date of highway declarations (received by Council)	12 April 2021
Date current documentation expires	12 April 2041
Durham County Council contact	Senior Rights of Way Officer Telephone Number 03000 265342 Email prow@durham.gov.uk
Notes	See also 31A/3/20/020 for Escomb – Lake Escomb Ltd

1. Name of appropriate authority to which the application is addressed: Durham County Council

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

Colin Michael Firby and Joan Elizabeth Firby
Greencroft Farm
Etherley
Bishop Auckland
Co Durham
DL14OEY

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

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

The land that the applicant owns is registered under three titles at Land Registry:-

(i) Title number DU360932 is Land at Escomb, Bishop Auckland, DL14 7SX. It comprises 4 fields and a shelter belt. It is a total of 10.83 hectares.

(ii) Title number DU139334 is Land lying to the south of the River Wear, Bishop Auckland, DL14 7SX. It comprises a lake known as Woodside Lake and a lake margin. It is a total of 1.69 hectares

(iii) Title number DU173987 is Escomb Farm, Bishop Auckland, DL14 7SX. It comprises 4 fields. It is a total of 7.19 hectares.

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

(i) The OS numbers are NZ1830-2565, NZ1830-4361, NZ1830-4245, NZ1830-2644, NZ1830-2337

(ii) The OS number is NZ1830-3737

(iii) The OS number is NZ1830-7532, NZ1830-8826, NZ1830-9724, NZ1830-9936.

6. This deposit comprises the following statement(s) and/or declarations:

(delete Parts B, C, or D where not applicable).

APPLICATION FORM
for a deposit under section 31(6) of the Highways Act 1980 and section
15A(1) of the Commons Act 2006

PART A: Information relating to the applicant and land to which the application relates

(All applicants must complete this Part)

PART B: Statement under section 31(6) of the Highways Act 1980

We Colin Michael Firby and Joan Elizabeth Firby are the owners and occupiers of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement. The Ways shown with a green dotted line on the accompanying map are public footpaths.

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

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

PART C: continued

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

PART E: Additional information relevant to the application

(Insert any additional information relevant to the application)

The land shown edged in red on the map has been in Higher Level Environmental Stewardship for the last 10 years which has now come to an end. As part of that scheme certain permissive footpaths were allowed. The attached document named 'Permissive Access' was posted at the points indicated by a red dot to show those permissive paths. Now that the scheme has come to an end we wish to make it clear that none of these permissive paths are to be considered as public footpaths in the future.

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:

COLIN MICHAEL FIRBY

JANE ELIZABETH FIRBY

Date:

3rd Dec 2020.

You should keep a copy of the completed form

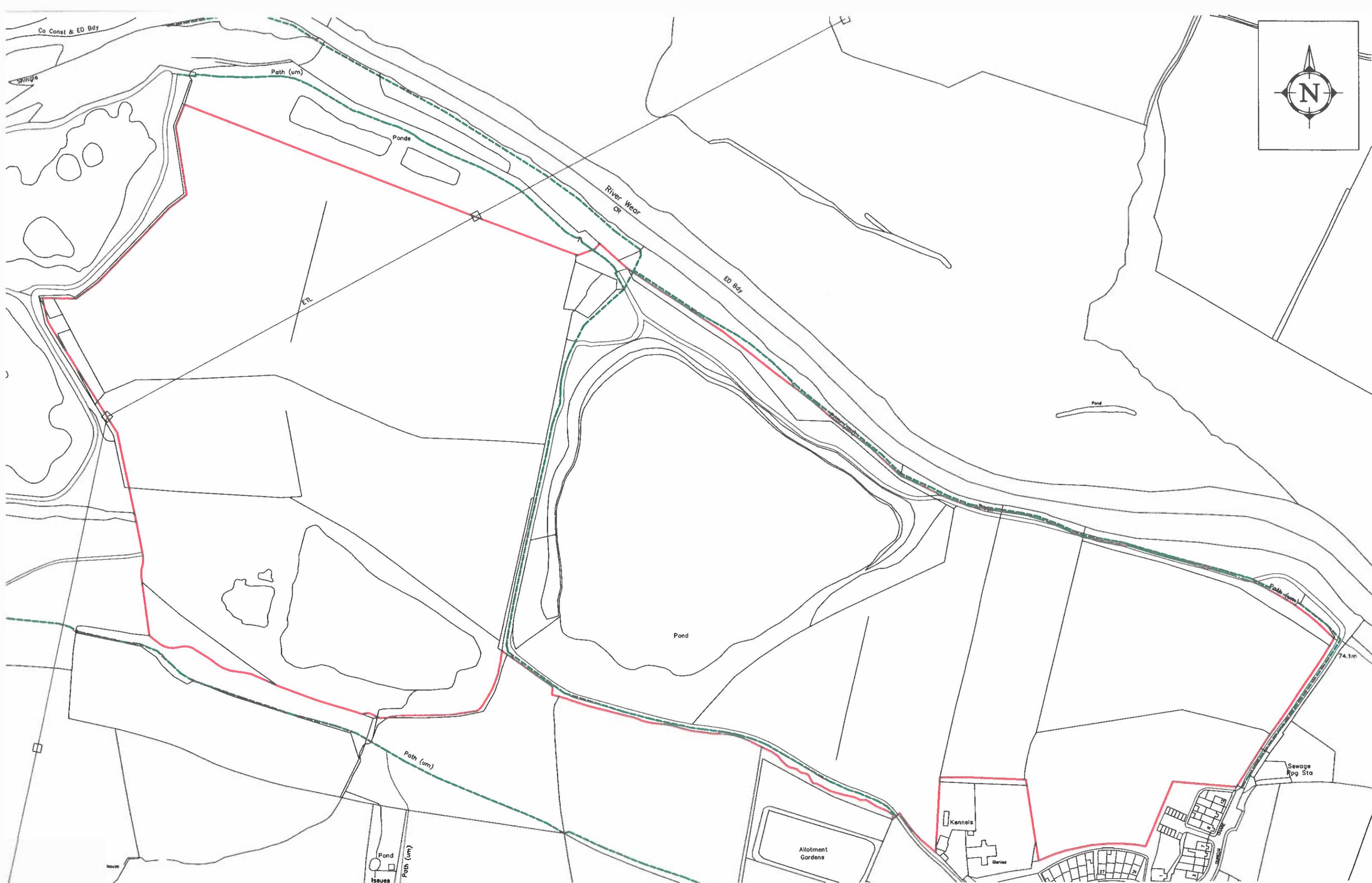
Data Protection Act 1998 - Fair Processing Notice

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.

Durham County Council 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 Durham County Council 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 Durham County Council 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.

Durham County Council 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, Durham County Council will not permit any unwarranted breach of confidentiality nor will they act in contravention of their obligations under the Data Protection Act 1998.



Location plan



Trueplan (UK) Ltd,
Mount Pleasant House, 2-4 Lonsdale Gardens,
Tunbridge Wells, Kent TN1 1HJ

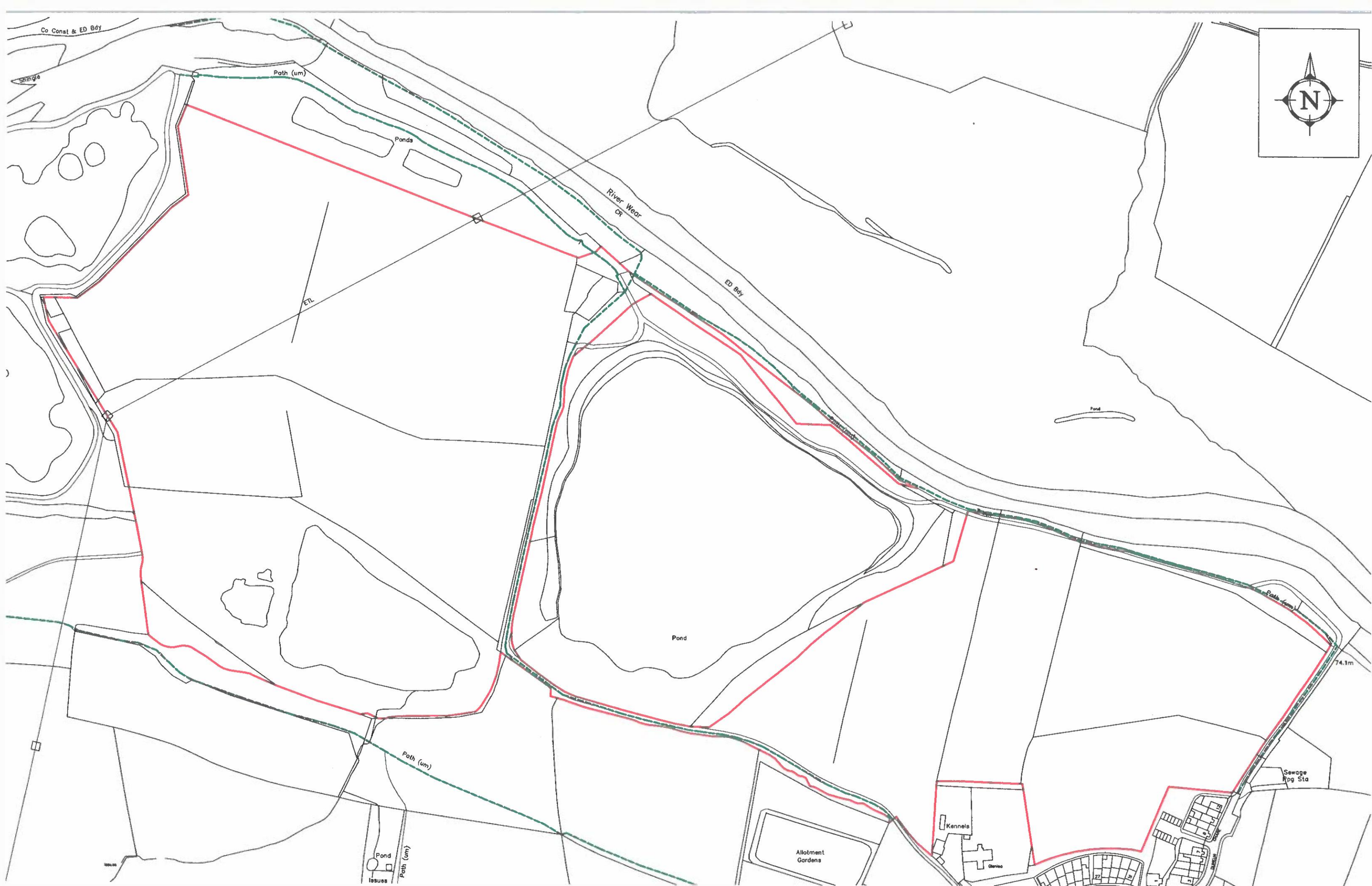
01892614 881

info@trueplan.co.uk www.trueplan.co.uk

PLAN OF WHOLE SITE

Composite plan at:
Escomb Farm
Bishop Auckland
County Durham

Scale 1:2500 @A3
Drawing no.: 4
Date drawn: 15-10-2020
Revision: 02



Location plan



Trueplan (UK) Ltd,
Mount Pleasant House, 2-4 Lonsdale Gardens,
Tunbridge Wells, Kent TN11HJ
01892 614 881
sales@trueplan.co.uk

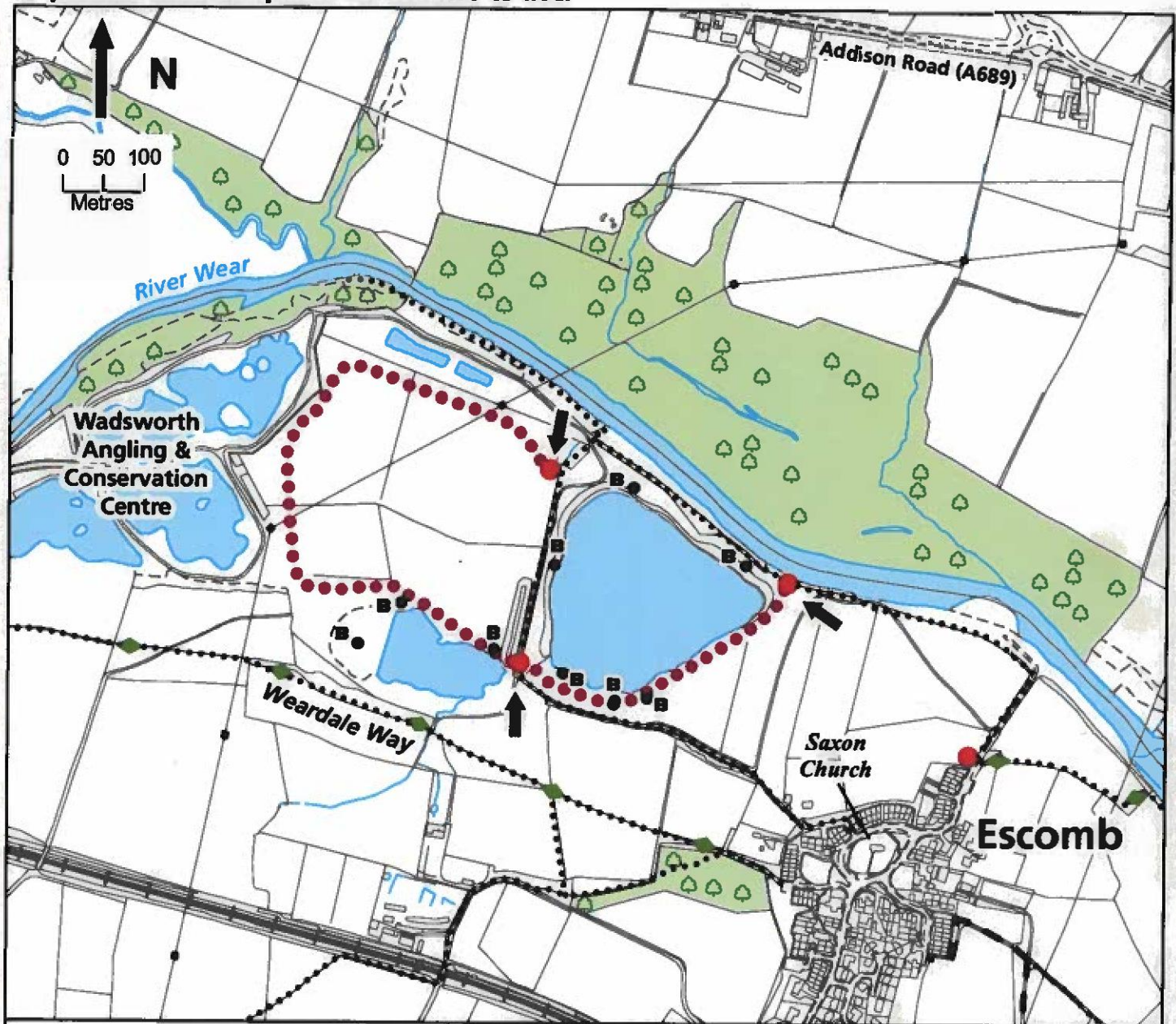
CHAZE FIRBY
LAND.

Land at Escomb
Bishop Auckland
County Durham

Scale 1:2500 @A3
Drawing no.: 4
Date drawn: 15-10-2020
Revision: 02

PERMISSIVE ACCESS

Welcome to Escomb lake and surrounding area. The farmer has provided formal footpaths with benches for you to rest at and view the wildlife which use this area. As part of a package of wildlife improvements the farmland has been taken out of arable production. Grassland is being established to create a very valuable habitat for wading birds it is hoped that the grass will remain wet for much of the year. Over time it will become tussocky and 'wilder' in nature. Please keep dogs under close control especially in the spring when birds may be nesting in these fields. New ponds or scrapes are also being dug which will form muddy areas in summer to provide different places for wildlife to live.



Grid Ref NZ 184 303

Ref Nos AG00321800
12/055/0115

➔ Entry/exit point



You Are Here



Bench



Permissive Footpath



Recreational Route



Public Footpath



Public Bridleway

This access has been provided under the Department for Environment, Food & Rural Affairs' farm conservation schemes as managed by Natural England, which help farmers and land managers protect and improve the countryside, its wildlife and history. It is permissive access and no new rights of way are being created. Existing rights of way are not affected. Please follow the Countryside Code and observe any other requirements shown above. Do not disturb wildlife, livestock or other visitors and in particular keep dogs under control. This is working farmland so please take care; people using this site do so at their own risk. Access ends on 31st August 2020.

For access related queries please call the Environmental Stewardship Permissive Access Team on 0300 060 1114 (Office Hours).
For all other Defra related queries please contact the Defra Helpline on 08459 335577 (Office Hours).

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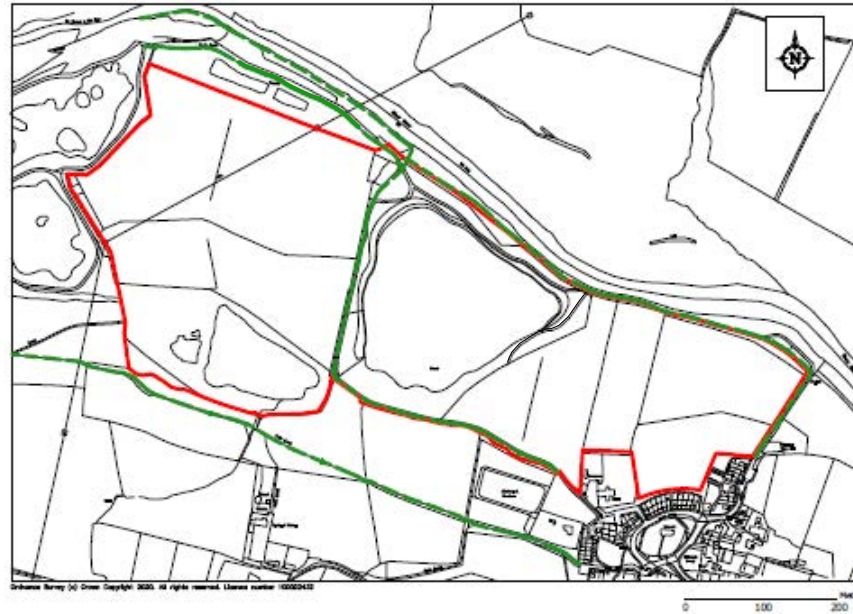
**ENVIRONMENTAL
STEWARDSHIP**

**COUNTRYSIDE
STEWARDSHIP**

**ENVIRONMENTALLY
SENSITIVE AREAS**

**NATURAL
ENGLAND**

cwr.naturalengland.org.uk



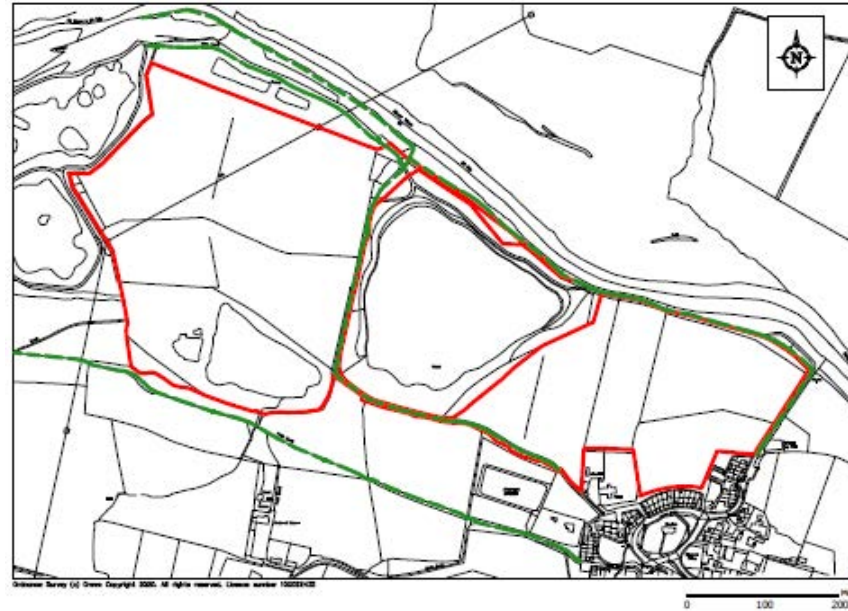
Location plan



Trueplan (UK) Ltd,
Mount Pleasant House, 2-4 Lonsdale Gardens,
Tunbridge Wells, Kent TN1 1HJ
01892 614 881
plans@trueplan.co.uk www.trueplan.co.uk

Composite plan at:
Escomb Farm
Bishop Auckland
County Durham

Scale 1:10,000 @A4
Drawing no.: 44387
Date drawn: 15-10-2020
Revision: 02



Location plan



Trueplan (UK) Ltd,
Mount Pleasant House, 2-4 Lonsdale Gardens,
Tunbridge Wells, Kent TN1 1HJ
01892 614 881
plans@trueplan.co.uk www.trueplan.co.uk

Land at Escomb
Bishop Auckland
County Durham

Scale 1:10,000 @A4
Drawing no.: 44387
Date drawn: 15-10-2020
Revision: 02

GUIDANCE NOTES

Applying to make a deposit 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/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form>. 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 us for details (see contacts on page 2).
10. Please return completed application forms to:
 - When used for Section 31(6) or when Section 31(6) is combined with Section 15A(1)

**Access and Rights of Way
Regeneration and Local Services
Durham County Council
County Hall
Durham
DH1 5UQ**

**e-mail pro@durham.gov.uk
telephone 03000 265 342**

• When used for Section 15A(1) only

**Common Land and Village Greens
Democratic Services
Durham County Council
County Hall
Durham
DH1 5UL**

telephone 03000 269 703

PART A: Information relating to the applicant and land to which the application relates

1. Name of appropriate authority to which the application is addressed: Durham County Council

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

Colin Michael Firby and Joan Elizabeth Firby
Greencroft Farm
Etherley
Bishop Auckland
Co Durham
DL14 OEY

Colin Michael Firby and Joan Elizabeth Firby
Greencroft Farm
Etherley
Bishop Auckland
Co Durham
DL14 OEY

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

[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):

The land that the applicant owns is registered under three titles at Land Registry:-

- (i) Title number DU360932 is Land at Escomb, Bishop Auckland, DL14 7SX. It comprises 4 fields and a shelter belt. It is a total of 10.83 hectares.
- (ii) Title number DU139334 is Land lying to the south of the River Wear, Bishop Auckland, DL14 7SX. It comprises a lake known as Woodside Lake and a lake margin. It is a total of 1.69 hectares
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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):

(i) The OS numbers are NZ1830-2565, NZ1830-4361, NZ1830-4245, NZ1830-2644, NZ1830-2337

(ii) The OS number is NZ1830-3737

(iii) The OS number is NZ1830-7532, NZ1830-8826, NZ1830-9724, NZ1830-9936

APPLICATION FORM

for a deposit under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006

PART B: Statement under section 31(6) of the Highways Act 1980

9

Form CA16

[I am / *[insert name of owner]* is] the owner of the land described in paragraph 4 of Part A of this form and shown *[insert colouring]* on the map accompanying this statement.

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

[Ways shown *[insert colouring]* on the accompanying map are byways open to all traffic]

[Ways shown *[insert colouring]* on the accompanying map are restricted byways]

[Ways shown *[insert colouring]* on the accompanying map are public bridleways]

[Ways shown *[insert colouring]* on the accompanying map are public footpaths]

Form CA16

No [other] ways over the land shown [insert colouring] on the accompanying map have been dedicated as highways.

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

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

1. We Colin Michael Firby and Joan Elizabeth Firby are the owners of the land described in paragraph 4 of Part A of this form and shown edged red on the map lodged with Durham County Council on 4 December 2020
2. On 4 December 2020 we deposited with Durham County Council, being the appropriate council, a statement accompanied by a map showing our property edged red which stated that the ways shown with a green dotted line on the map accompanying that declaration had been dedicated as footpaths

3. No additional ways have been dedicated over the land edged red on the map referenced in paragraph 1 above since the statement dated 4 December 2020 referred to in paragraph 2 above and at the present time we have no intention of dedicating any more public rights of way over our property.

(Insert any additional information relevant to the application)

9

Form CA16

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:

JANE ELIZABETH FIRBY COLWYN FIRBY.

Date: 8 APRIL 2021

You should keep a copy of the completed form

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(All applicants must complete this Part)