



Highways Act 1980 Section 31(6) - Deposit of Maps, Statements and Statutory Declarations summary sheet

Section 31A file reference number:

31A/1/21/033

Title and/or description of land referred to:

Muggleswick Estate - at Waskerley, Consett, DH8 9DE

Comprising of land at Horsleyhope, Middles End, Healeyfield, and Grange Farm

Districts:

Derwentside

Parishes:

Muggleswick

Ordnance Survey grid reference (6 figure all NZ):

Land at Horsleyhope = NZ060474, land at Middles End = NZ062471, land at Healeyfield = NZ068481, land at Grange Farm = NZ047501

Land Postcodes:

DH8 9DW, DH8 9DN, DH8 9LZ, DH8 9DG, DH8 9DE, DH8 9DG, DH8 9DB, DH8 9DZ, DH8 9DB, DH8 9DS, DH8 9AW

Documents deposited by:

David Andrew Gray of GSC Grays, Estate Office, Lambton Estate, Chester-le-Street, DH3 4PQ

Date of deposit of map and highway statement (received by Council):

10 November 2021

Date of highway declarations (received by Council):

25 March 2022

Date current documentation expires:

25 March 2042

Durham County Council contact:

Senior Rights of Way Officer
Telephone Number: 03000 265342
Email: prow@durham.gov.uk

Notes:

Also see S15A Commons Act 2006 deposit ref: 15ADER5

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 <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:

Durham County Council

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

**David Andrew Gray
Estate Office, Lambton Park, Chester-le-Street, DH3 4PQ**

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 the **Trustees of Lord Durhams 1989 Voluntary Settlement** who is the owner of the land(s) described in paragraph 4 and in my capacity as **Land Agent**.

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

Muggleswick Estate, Waskerley, Consett, DH8 9DE.

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

Plan 1:

Land at Horsleyhope - NZ060474

Land at Middles End - NZ062471

Land at Healeyfield - NZ068481

Plan 2:

Land at Grange Farm - NZ047501

6. This deposit comprises the following statement(s) and/or declarations (*delete Parts B, C, or D where not applicable*):

B and D

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

Trustees of Lord Durhams 1989 Voluntary Settlement is the owner of the land described in paragraph 4 of Part A of this form and shown outlined in red on the maps accompanying this statement.

Ways shown in orange-dashed on the accompanying map are public footpaths.

No other ways over the land shown in red on the accompanying maps have been dedicated as highways.

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:

David Andrew Gray

Date:

17th September 2021

You should keep a copy of the completed form

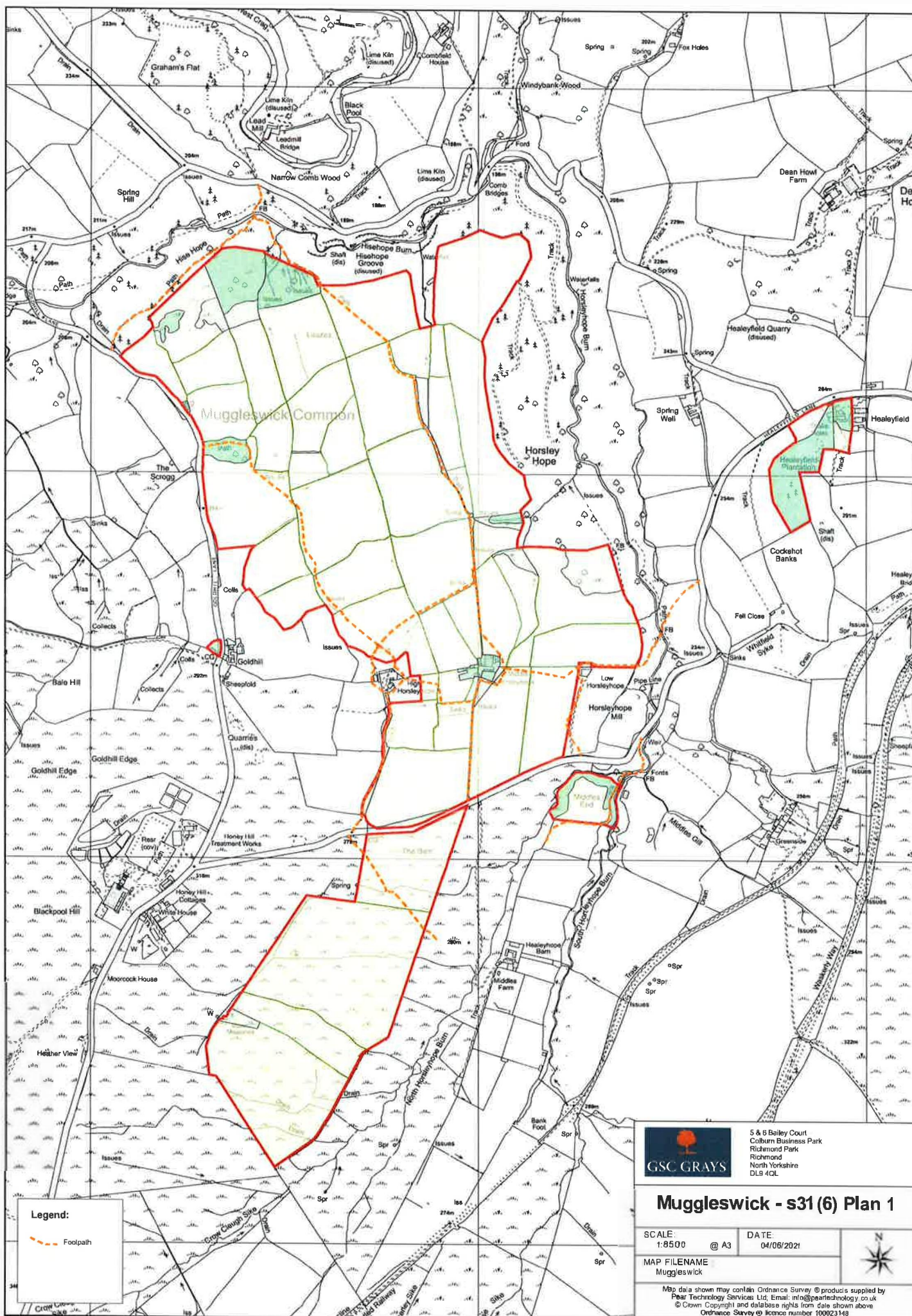
Data Protection Act 1998 - Fair Processing Notice

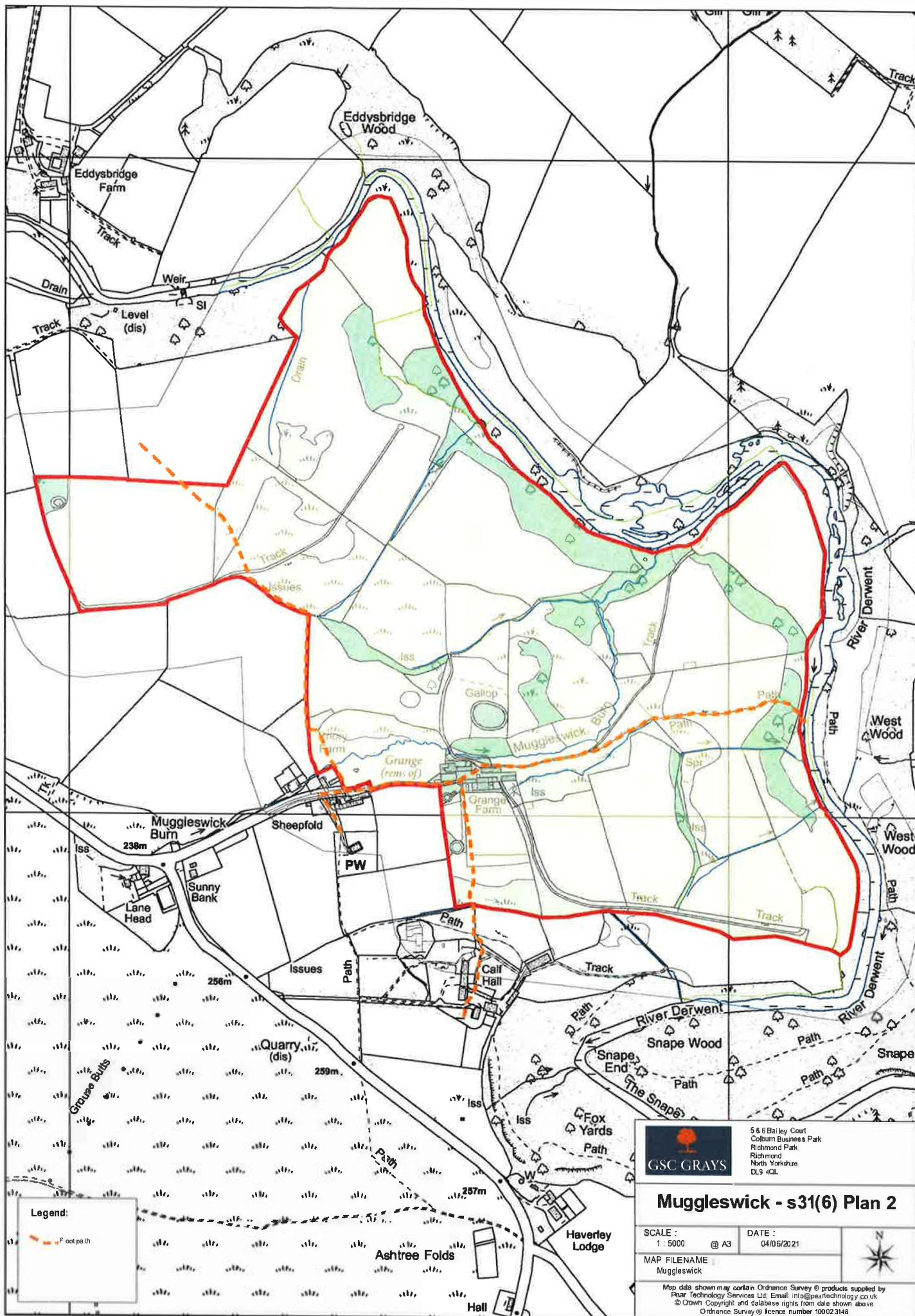
The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

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.





5 & 6 Bailey Court
Colburn Business Park
Richmond Park
Richmond
North Yorkshire
DL9 4QL

Muggleswick - s31(6) Plan 2

SCALE : 1 : 5000 @ A3 DATE : 04/06/2021

MAP FILENAME : Muggleswick



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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 <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:

Durham County Council

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

**David Andrew Gray
Estate Office, Lambton Park, Chester-le-Street, DH3 4PQ**

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 the **Trustees of Lord Durhams 1989 Voluntary Settlement** who is the owner of the land(s) described in paragraph 4 and in my capacity as **Land Agent**.

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

Muggleswick Estate, Waskerley, Consett, DH8 9DE.

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

Plan 1:

Land at Horsleyhope - NZ060474

Land at Middles End - NZ062471

Land at Healeyfield - NZ068481

Plan 2:

Land at Grange Farm - NZ047501

6. This deposit comprises the following statement(s) and/or declarations (*delete Parts B, C, or D where not applicable*):

A, C and F

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

1. **Trustees of Lord Durhams 1989 Voluntary Settlement** is the owner 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 **10th November 2021**.

2. On the 10th day of November 2021 the Trustees of Lord Durhams 1989 Voluntary Settlement deposited with Durham County Council, being the appropriate council, a statement accompanied by a map showing Trustees of Lord Durhams 1989 Voluntary Settlement property edged red which stated that:

the ways shown in orange-dashed on that map had been dedicated as footpaths.

no other ways had been dedicated as highways over Trustees of Lord Durhams 1989 Voluntary Settlement property.

4. No additional ways have been dedicated over the land edged red on the map referenced in paragraph 1 above since the statement dated 10th November 2021 referred to in paragraph 2 above other than those footpaths marked in the appropriate colour on the map accompanying this declaration and at the present time Trustees of Lord Durhams 1989 Voluntary Settlement have no intention of dedicating any more public rights of way over the property.

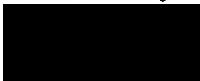
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PART F: Statement of Truth
(all applicants must complete this Part)

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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 Andrew Gray

Date: 18/3/22

You should keep a copy of the completed form

Data Protection Act 1998- Fair Processing Notice

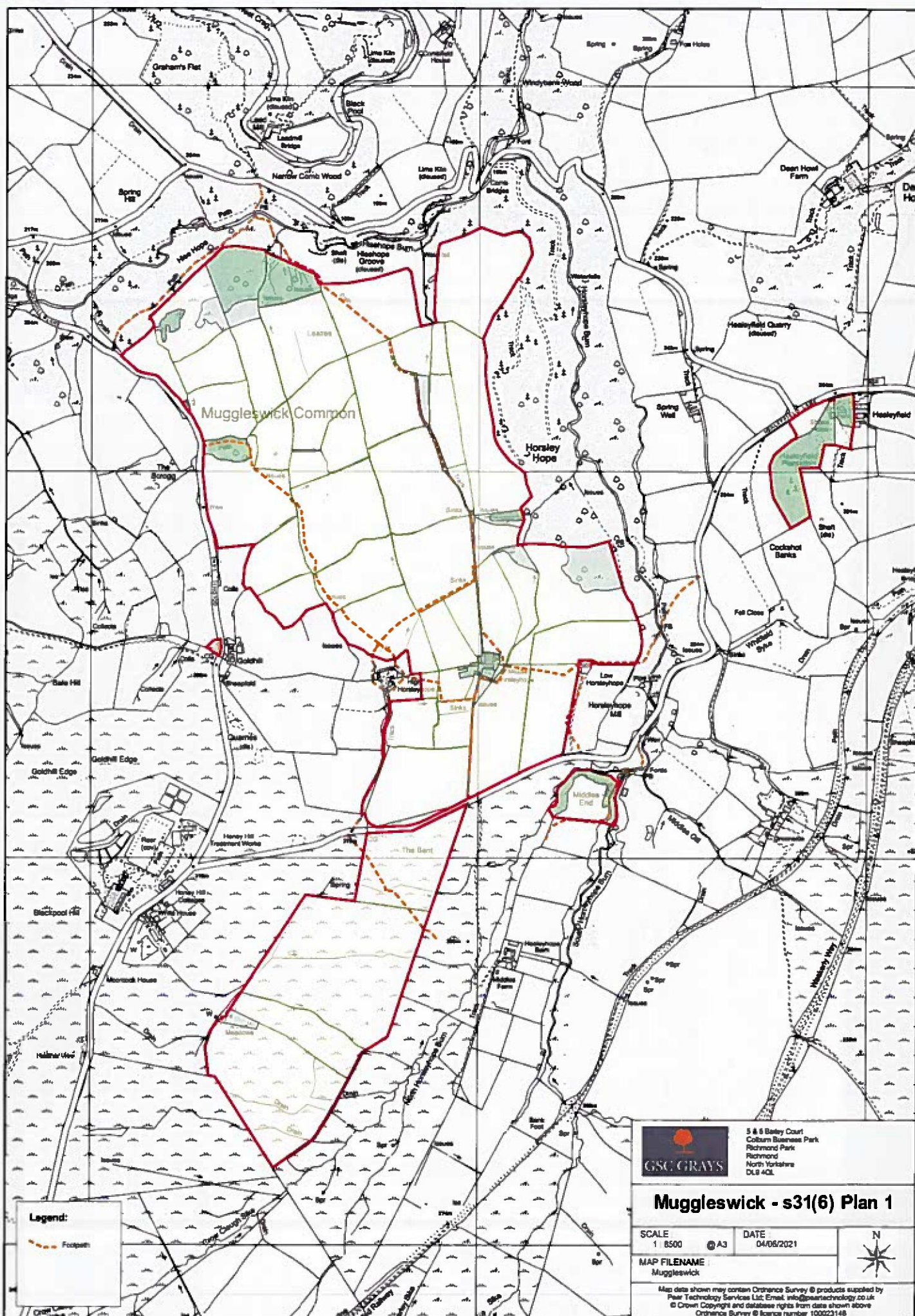
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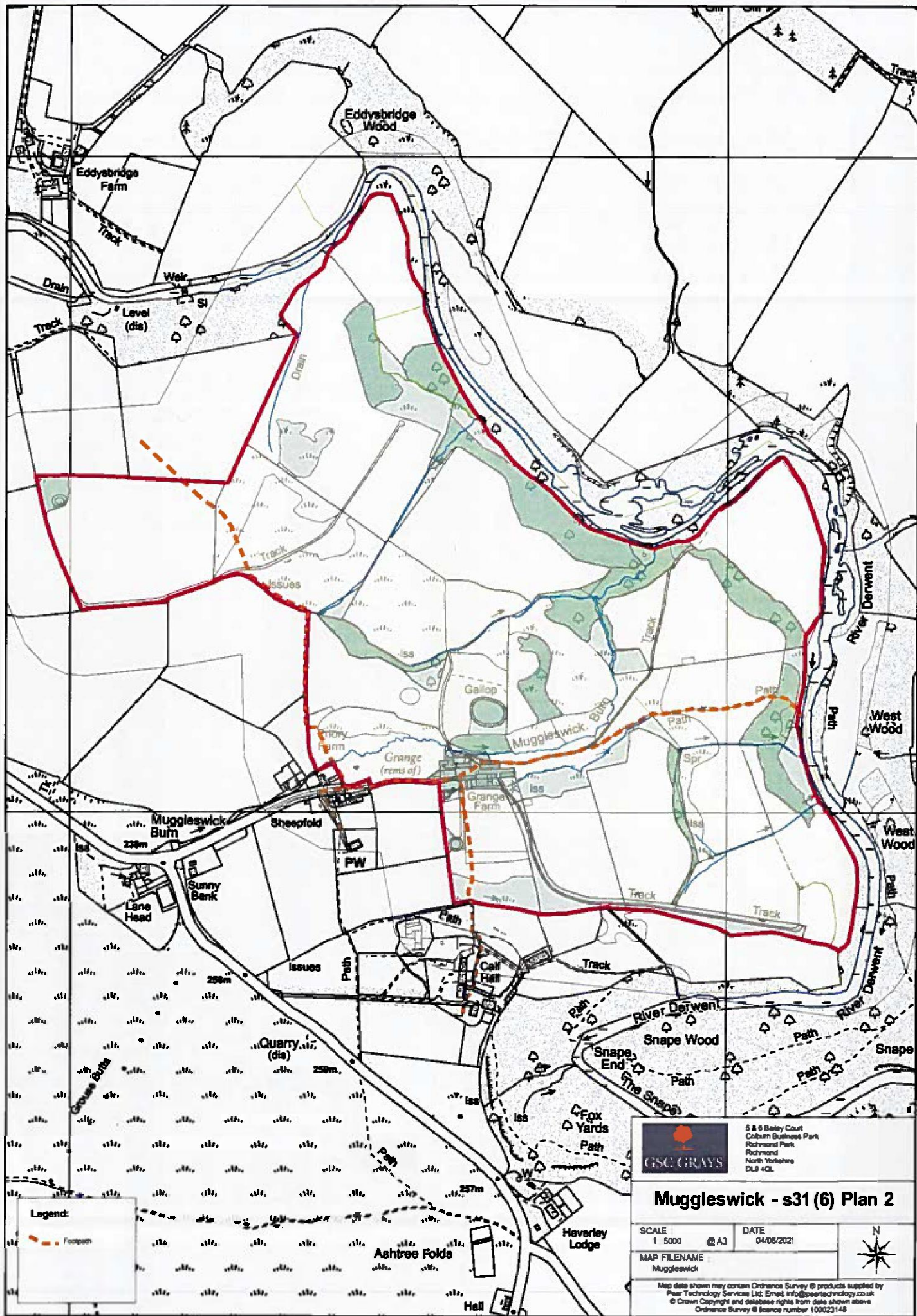
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be used by the appropriate authority in its duty to update the registers in which details of such deposits are recorded under the Dedicated Highways (Registers under Section 31A of the Highways Act 1980) (England) Regulations 2007 and the Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013.

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5 & 6 Bailey Court
Colson Business Park
Richmond Park
Richmond
North Yorkshire
DL9 4DL

Muggleswick - s31 (6) Plan 2

SCALE 1:5000 @ A3 DATE 04/06/2021

MAP FILENAME Muggleswick



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