

FORM CA17

**NOTICE OF LANDOWNER DEPOSITS UNDER SECTION 31(6) OF THE HIGHWAYS ACT
1980 AND SECTION 15A(1) OF THE COMMONS ACT 2006**

West Berkshire District Council

An application to deposit a statement under Section 15(A)(1) of the Commons Act 2006 has been made in relation to the land (or lands) described below and shown edged 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 <http://www.defra.gov.uk/rural/protected/greens/> for further information

Description of the land(s) (including full address and postcode):

The land identified as Lot 7 in attached map at Elm Farm, Hamstead Marshall, Newbury, Berkshire, RG20 0HR

Name of the Parish, Ward or District in which the land(s) is/are situated:

Hamstead Marshall

The Deposit was submitted by The Organic Research Centre on behalf of Progressive Farming Trust Ltd and was received by this Authority on 30 September 2020 which required amendment and was re-received on 3 November 2020 as a final agreed Statement

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 at <http://info.westberks.gov.uk/article/30845/Village-Greens-and-Commons-Landowners-Register> or can be inspected free of charge at the address below at the times indicated below:

Council Offices, Market Street, Newbury, Berkshire RG14 5LD between 9.30 a.m. to 12.30 pm on Mondays Wednesdays and Fridays and 9.30 a.m.to 4.30 p.m. on Tuesdays and Fridays

Signed on behalf of West Berkshire District Council
Michèle Sherman, Chartered Legal Executive/Commons Registration Officer

Date: 25 November 2020

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:

West Berkshire Council

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

**Lucy MacLennan
Progressive Farming Trust Ltd
Trent Lodge
Stroud Road
Cirencester
GL7 6JN**

3. Status of applicant (tick relevant box or boxes):

I am

(a) the owner of the land(s) described in paragraph 4.

(b) We are making this application and the statements/declarations it contains on behalf of Progressive Farming Trust Limited incorporated and registered in England and Wales with company number 01513190 whose registered office is at The Organic Research Centre, Trent Lodge, Stroud Road, Cirencester, GL7 6JN who is the owner of the land(s) described in paragraph 4 and in my capacity as Chief Executive Officer.

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

The land identified as Lot 7 in attached map at Elm Farm, Hamstead Marshall, Newbury, Berkshire, RG20 0HR shown edged red on the plans attached to this statement (Annex 1).

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*):

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

N/A

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

N/A

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

We are the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying (Annex 1) this statement.

We confirm that there are no public rights of way, or permissive paths on any of the land edged in red on the plan accompanying this statement other than the bridleway known as HAMS/19/1. For clarity we confirm that any permissive paths that we have granted in the past have been terminated and we have notified the Parish Council to this effect. We also confirm that the Owners are not aware and have never been aware of any sporting activities taking place on the site.

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):

[Signed by Lucy McLennan]

Print full name: Lucy McLennan

Date: 02 November 2020

You should keep a copy of the completed form

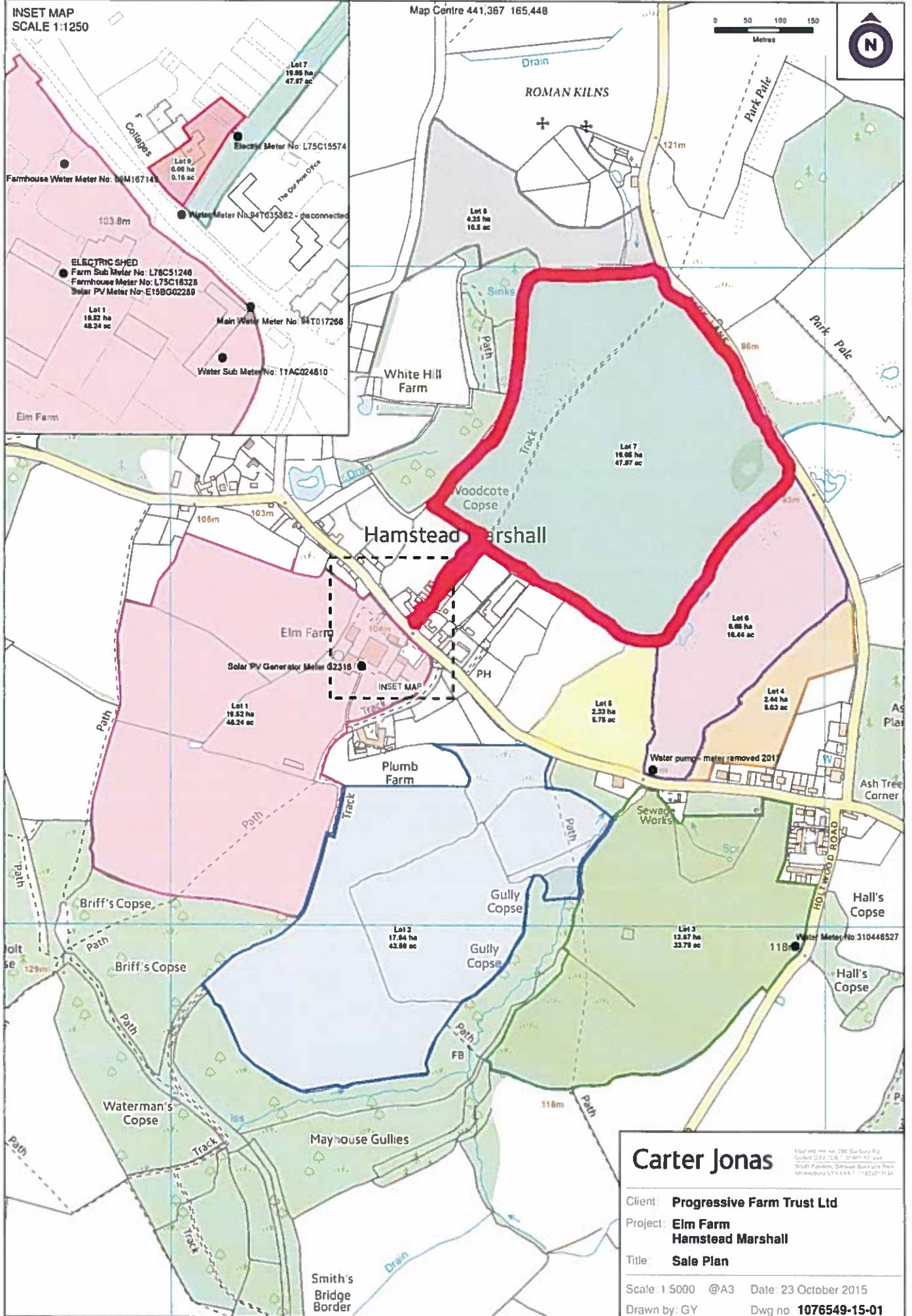
Data Protection Act 1998 - Fair Processing Notice

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.

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.



INSET MAP
SCALE 1:1250

Map Centre 441,367 165,448

0 50 100 150
Metres



Carter Jonas
Maple Way, 2nd Floor, 200 Oldbury Rd, Guildford, Surrey GU1 2AA
 20-21 Parkway, Sandown, Isle of Wight, PO36 2JH
 Southampton, Hampshire SO14 4AA T: 01252 273134

Client: **Progressive Farm Trust Ltd**
 Project: **Elm Farm Hamstead Marshall**
 Title: **Sale Plan**

Scale: 1:5000 @A3 Date: 23 October 2015
 Drawn by: GY Dwg no: **1076549-15-01**