

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:

Lincolnshire County Council

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

Mr & Mrs D Mathieson, Keepers Cottage, Sand Lane, Marston, Grantham, NG32 2HX

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

We are

(a) the joint owners of the land 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):

Keepers Cottage, Sand Lane, Marston, Grantham, NG32 2HX

Small holding comprising: house and outbuildings, fields, woodland, a total area of approximately 27 acres in one parcel, and the boundary is shown by a purple line on the map.

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): **900420**

6. This deposit comprises a landowner statement and declarations in Parts B and D.

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

Mr & Mrs D Mathieson are the owners of the land described in paragraph 4 of Part A of this form and outlined in purple on the map accompanying this statement.

~~[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.]~~

No ways over the land shown within the area of the purple outline on the accompanying OS map have been dedicated as highways, in particular the track shown as a red line along the eastern edge of the wood, called First Sand Plantation, on the west side of the property. Please refer to part E for more detail.

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

1. ~~[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 declaration/lodged with [insert name] Council on [insert day, month, year]].~~

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

2. On the [insert day] day of [insert month, year] ~~[I/my/[insert name of owner's] predecessor in title [insert name]] deposited with [insert name] Council, being the appropriate council, a statement accompanied by a map showing [my/[insert name of owner's]] property [insert colouring] which stated that:~~

~~[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as byways open to all traffic]~~

~~[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as restricted byways]~~

~~[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as bridleways]~~

~~[the ways shown [insert colouring] on that map [and on the map accompanying this declaration] had been dedicated as footpaths]~~

~~[no [other] ways had been dedicated as highways over [my/[insert name of owner's]] property]. *(delete wording in square brackets as appropriate and/or insert information as required)*~~

3. On the [insert day] day of [insert month, year] ~~[I/my/[insert name of owner's] predecessor in title [insert name]] deposited with [insert name] Council, being the appropriate council, a declaration dated [insert day, month, year], stating that no additional ways [other than those marked in the appropriate colour on the map accompanying that declaration] had been dedicated as [byways open to all traffic] [restricted byways] [bridleways] [footpaths] since the deposit of the statement referred to in paragraph 2 above.]~~

(delete if not applicable and delete wording in square brackets as appropriate and/or insert information as required)

4. No additional ways have been dedicated over the land [insert colouring] on the map [accompanying this declaration/referenced in paragraph 1 above] since the statement dated [insert day, month, year] referred to in paragraph 2 above [since the date of the declaration referred to in paragraph 3 above] [other than those [byways open to all traffic] [restricted byways] [bridleways] [footpaths] marked in the appropriate colour on the map accompanying this declaration] and at the present time ~~[I/[insert name of owner]] [have/has] no intention of dedicating any more public rights of way over [my/the] property.~~

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

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

~~[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/deposited with [insert name] Council on [insert day, month, year]].~~

Mr and Mrs D Mathieson wish to bring to an end any period during which persons may have indulged as of right in lawful sports and pastimes on the whole of the land shown in purple on the accompanying map.

Telcon 31 Oct 22 01522 782070 Lancaster House, 36 Orchard Street, Lincoln, LNI 1XX Reference 4178917

Telcon 23 Nov 22

Telcon 28 Nov 22 with A Pickwell, amendment advice hard copy to Lincolnshire County Council, Countryside Services, Newland, Lincoln, LNI 1YL marked for the attention of Andrew or Laura Pickwell,

PART E: Additional information relevant to the application

Over several years and until recently, there has been intrusion by the general public using the track, marked red, and sometimes the wood (First Sand Plantation) for pedestrian walking and dog walking. Some of the walkers were walking to and from the leisure complex of the Wagtail Country Park and adjoining properties. Signs were erected on the track in October 2017, and which have been ignored by some. Even though the intrusion has dropped to an acceptable level, there are a few inquisitive people who still use the track albeit very occasionally. Pictures of the signs on the track accompany this application.

We acknowledge those with access as stipulated in their deeds, there is no change sought here.

We submit this application before anyone might wish to declare our track, and any cleared tracks through the First Sand Plantation wood, a public highway or public right of way.

PART F: Statement of Truth

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:



Print full name:

DAVID MATHIESON JEAN SUSANNA MATHIESON

Date: amended submission 30 November 2022

You should keep a copy of the completed form (original submission 30 October 2022)

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.

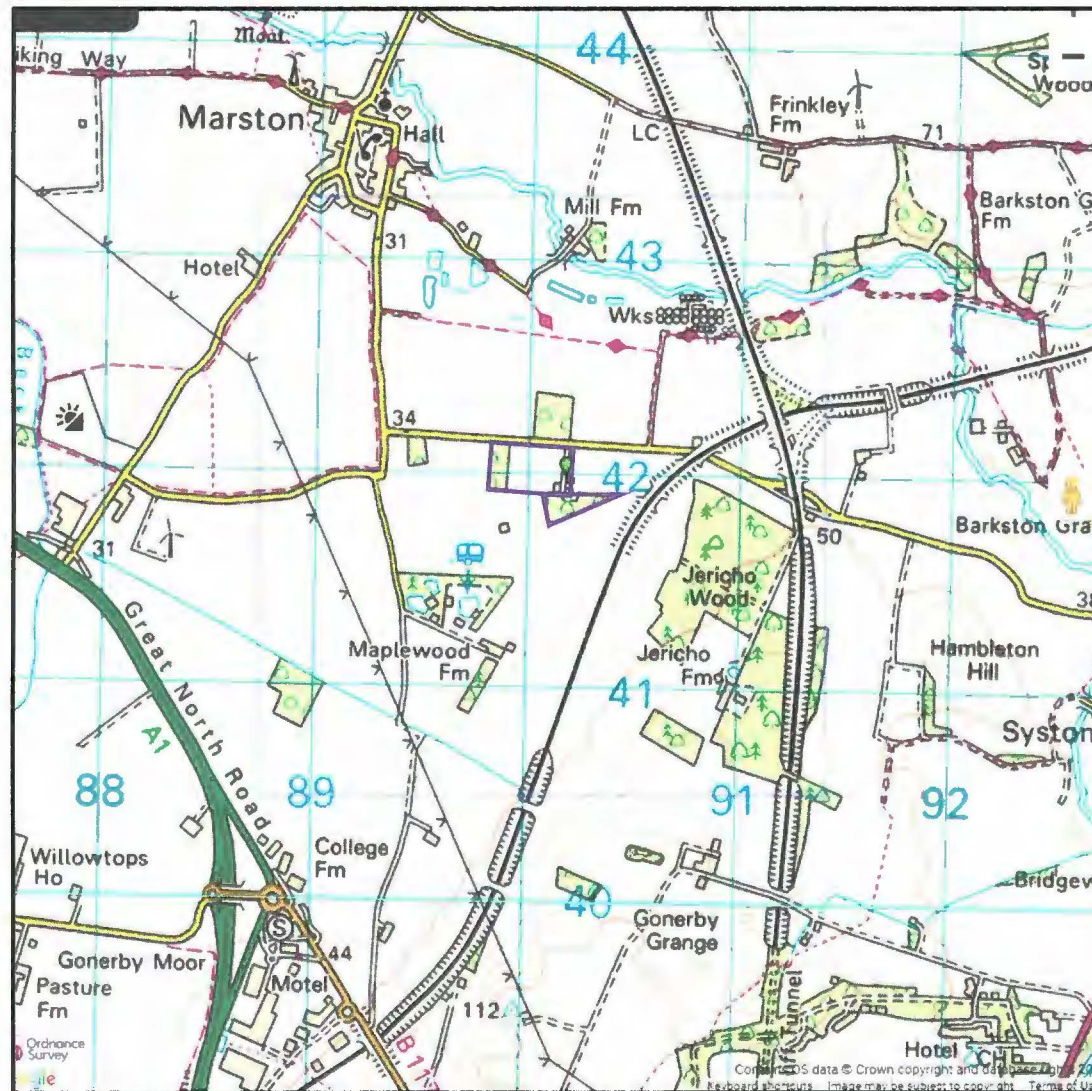
The appropriate authority (see explanation of definition in above guidance notes) in England is the data controller in respect of any personal data that you provide when you complete this form.

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.

CA16 Application: Keepers Cottage, Sand Lane, Marston, Grantham NG32 2HX

Overview map of Keepers Cottage property outlined in purple OS grid reference 900420.



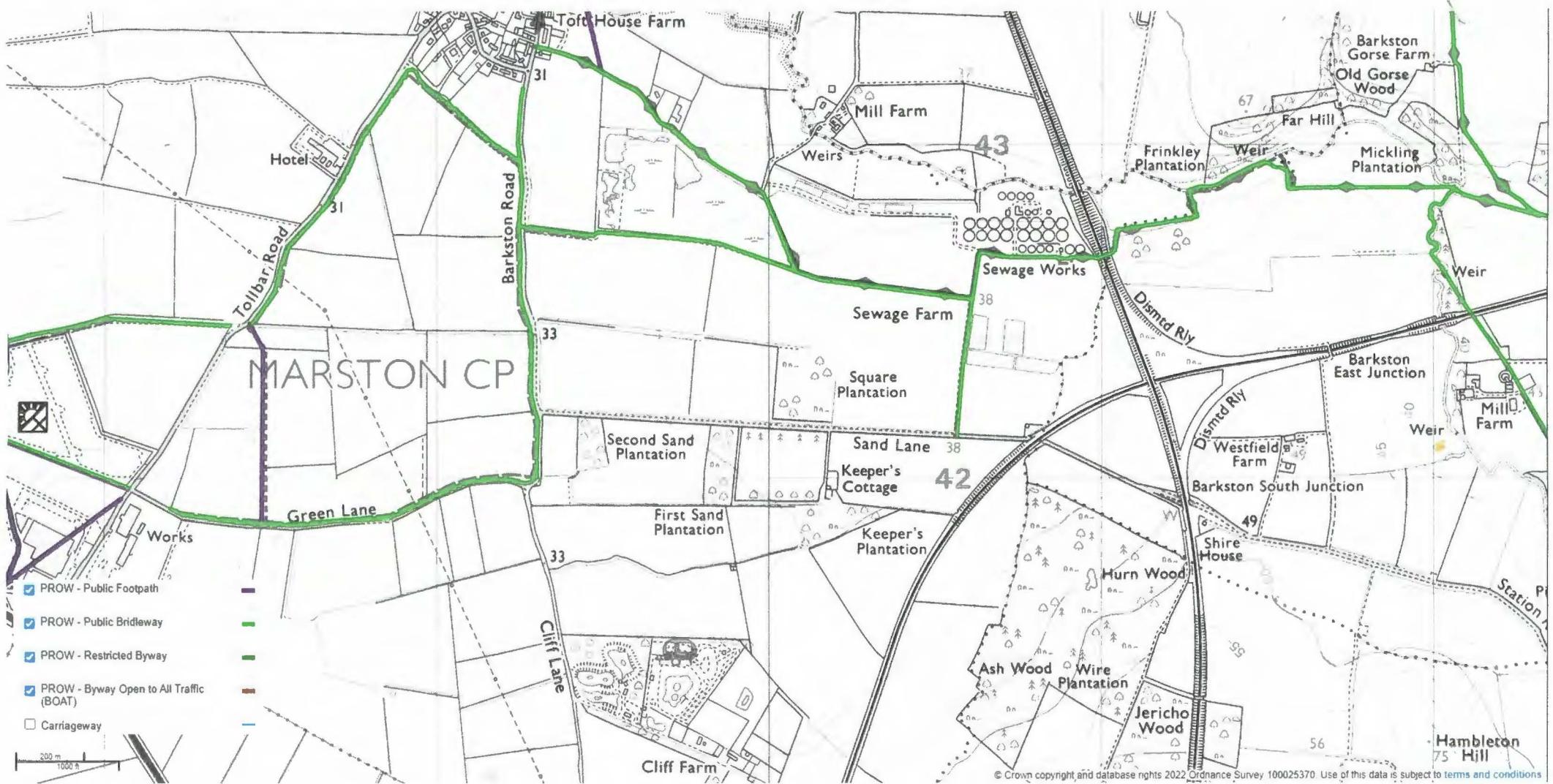
CA16 Application: Keepers Cottage, Sand Lane, Marston, Grantham NG32 2HX

Keepers Cottage property outlined in purple.



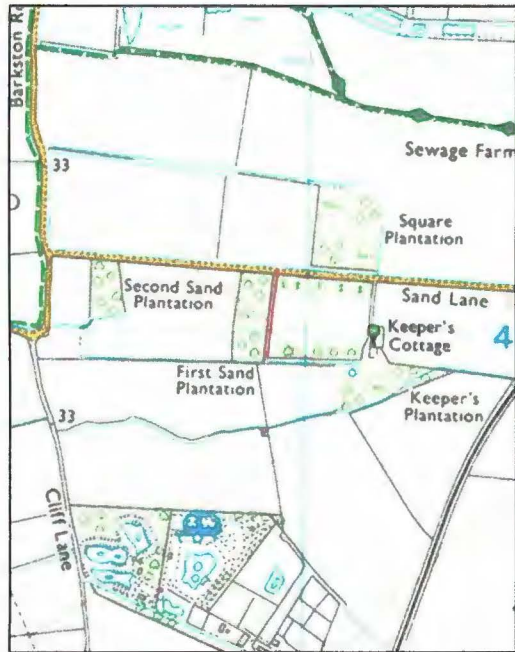
CA16 Application: Keepers Cottage, Sand Lane, Marston, Grantham NG32 2HX

Current Public Rights of Way near NG32 2HX



CA16 Application: Keepers Cottage, Sand Lane, Marston, Grantham NG32 2HX

Track highlighted in red.



Replacement sign March 2020.



Signs first erected October 2017, the latter replaced March 2020.

PRIVATE PROPERTY



**WARNING
CCTV in operation**



No public access



View of signs from the north end, the entrance to the track will be modified soon, but the sign will remain in place but further back.



View of signs from the south end.



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:

Lincolnshire County Council

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

Mr & Mrs D Mathieson, Keepers Cottage, Sand Lane, Marston, Grantham, NG32 2HX

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

We are

(a) the joint owners of the land 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):

Keepers Cottage, Sand Lane, Marston, Grantham, NG32 2HX

Small holding comprising: house and outbuildings, fields, woodland, a total area of approximately 27 acres in one parcel, and the boundary is shown by a purple line on the map.

5. Ordnance Survey six-figure grid reference(s) of a point within the area of land(s) to which the application relates (if known): **900420**

6. This deposit comprises the following statement and declarations in Part C.

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

~~[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.]~~

~~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 are the owners of the land described in paragraph 4 of Part A of this form and shown outlined purple on the map lodged with Lincolnshire County Council on 8 December 2022.

2. On the 8 December 2022, we deposited with Lincolnshire County Council, being the appropriate council, a statement accompanied by a map showing our property outlined in purple which stated that:

~~[the ways shown *[insert colouring]* on that map *[and on the map accompanying this declaration]* had been dedicated as byways open to all traffic]~~

~~[the ways shown *[insert colouring]* on that map *[and on the map accompanying this declaration]* had been dedicated as restricted byways]~~

~~[the ways shown *[insert colouring]* on that map *[and on the map accompanying this declaration]* had been dedicated as bridleways]~~

~~[the ways shown *[insert colouring]* on that map *[and on the map accompanying this declaration]* had been dedicated as footpaths]~~

No ways over the land shown within the area of the purple outline on that map have been a dedicated as highways, in particular the track shown in that map as a red line along the eastern edge of the wood, called First Sand Plantation, on the west side of the property.

~~[3. On the *[insert day]* day of *[insert month, year]* *[I/my/*[insert name of owner's]* predecessor in title *[insert name]*]* deposited with *[insert name]* Council, being the appropriate council, a declaration dated *[insert day, month, year]*, stating that no additional ways *[other than those marked in the appropriate colour on the map accompanying that declaration]* had been dedicated as *[byways open to all traffic]* *[restricted byways]* *[bridleways]* *[footpaths]* since the deposit of the statement referred to in paragraph 2 above.]
(delete if not applicable and delete wording in square brackets as appropriate and/or insert information as required)~~

4. No additional ways have been dedicated over the land outlined purple on the map referenced in paragraph 1 above since the statement dated 30 November 2022 and at the present time we have no intention of dedicating any more public rights of way over our property.

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

~~[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/deposited with *[insert name]* Council on *[insert day, month, year]*].*~~

~~[*[insert name of owner]* *[wish/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 *[insert colouring]* on the *[accompanying map/map referenced above]*.]~~

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

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 completing this form)

Print full name: **DAVID MATHIESON**

Date: **19 December 2022**

JEAN SUSANNA MATHIESON

You should keep a copy of the completed form

Data Protection Act 1998 - Fair Processing Notice

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CA16 Application: Keepers Cottage, Sand Lane, Marston, Grantham NG32 2HX

Keepers Cottage property outlined in purple.

