

## Deposit of Statement Plan

### Section 31(6) of the Highways Act 1980

To: Lincolnshire County Council, Highways and Planning Directorate, 4<sup>th</sup> Floor, City Hall,  
Beaumont Fee, LINCOLN, LN1 1DN.


1. We are and have been since July 1983 the owner within the meaning of section 31(6) of the Highways Act 1980, of the land known as Rookery Farm in the Parish of Swallow more particularly edged in red on the accompanying plans.
2. The aforementioned land lies in the Parish of Swallow.
3. No ways over the land have been dedicated as highways.
4. The deposit shall comprise this statement and accompanying plan.

Signed:  .....

Name: Jonathan E Russell

Sir Richard Sutton's Settled Estates  
Benham Estate Office  
Newbury  
Berkshire RG20 8LR

Date: 25<sup>th</sup> Dec 2013

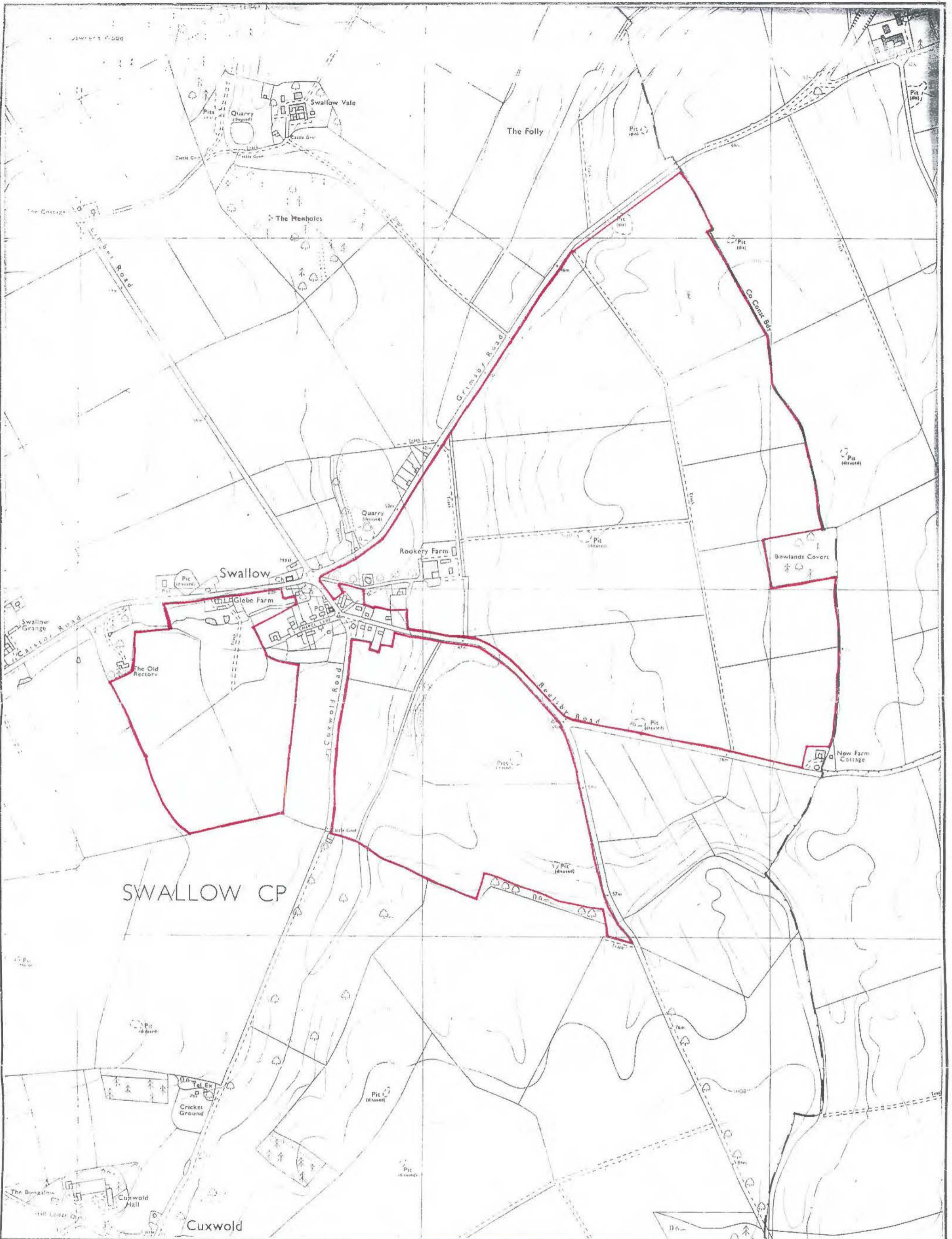
Signed (Witness) 

Name (of witness): JAMES W. WOODHOUSE

Address and Occupation (of witness):

Solicitors

**CHARLES LUCAS & MARSHALL**  
Solicitors  
28 BARTHOLOMEW STREET  
NEWBURY, BERKS. RG14 5EU



SWALLOW CP

**DDM**  
**AGRICULTURE**

59 Wrawby Street Brigg  
 North Lincolnshire DN20 8JE  
 Telephone 01652 653669  
 Fax 01652 653311  
 DX 24358 BRIGG

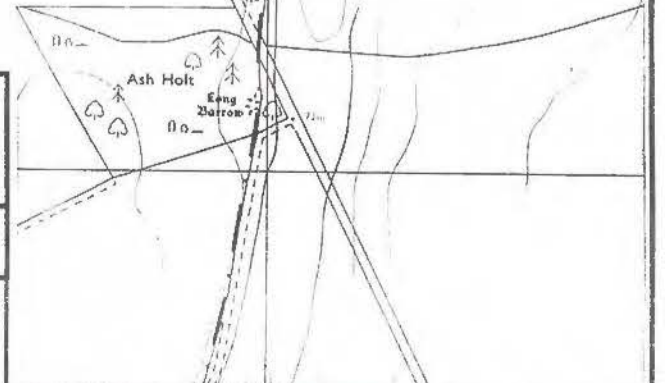
SIR RICHARD SUTTON'S SETTLED  
 ESTATES, LAND AT SWALLOW

SCALE 1:10,000

DATE 18/01/02

This plan is published for convenience of identification only and although believed to be correct its accuracy is not guaranteed and it does not form part of any contract.

This map is based upon the Ordnance Survey Map with the sanction of the Controller of H.M. Stationery Office Crown Copyright Reserved. Licence No. ES 100029377



## STATUTORY DECLARATION

### SECTION 31(6) OF THE HIGHWAYS ACT 1980

I, **JONATHAN EDWARD RUSSELL** of the Benham Estate Office, Newbury, Berkshire, RG20 8LR DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. I am and have been since 1<sup>st</sup> October 1997 the Director of Country Estates of Sir Richard Sutton's Settled Estates which is and has been since 1983 the owner of the land known as Rookery Farm in the Parish of Swallow and more particularly edged in red on the accompanying plans of this declaration.
2. On the 20<sup>th</sup> May 2013 a Deposit Statement Plan has been deposited with Lincolnshire County Council, being the appropriate Council. The Statement, accompanied by plans delineating the property of Sir Richard Sutton's Settled Estates being edged in red stated that no ways have been dedicated as highways over the property of Rookery Farm, Swallow.
3. No additional ways have been dedicated over the land edged in red on the plans accompanying this Declaration since the statement dated 20<sup>th</sup> May 2013 referred to in paragraph 2 above and at this time, Sir Richard Sutton's Settled Estates has no intention of dedicating any more rights of way over its property.

AND I MAKE THIS SOLEMN DECLARATION on the 20<sup>th</sup> day of May 2013  
consciously believing it to be true and by virtue of the Statutory Declarations Act 1835.

DECLARED AT

**CHARLES LUCAS & MARSHALL**  
Solicitors  
28 BARTHOLOMEW STREET  
NEWBURY, BERKS. RG14 5EU

**JAMES W HOODHOUSE**  
Solicitor

## 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**

**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:

**FAO Andrew Pickwell**  
**Lincolnshire County Council**  
**Countryside Services**  
**County Offices, Newland**  
**Lincoln**  
**LN1 1YL**

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

**James Ingestre MRICS**  
**Benham Estate Manager and Director of Rural Property**  
**c/o Sir Richard Sutton Limited**  
**Benham Estate Office**  
**Newbury RG20 8LR**

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 Sir Richard Sutton Limited, formerly Sir Richard Sutton's Settled Estates, care of Benham Estate Office Newbury RG20 8LR which is the owner of the land described in paragraph 4 and in my capacity as Benham Estate Manager & Director of Rural Property at Sir Richard Sutton Limited.

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

All that land known as 'Rookery Farm, Cuxwold Road, Swallow, LN7 6DJ' (as shown edged red on the plan)

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**

~~Sir Richard Sutton Limited is the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.~~

~~Ways shown coloured BROWN on the accompanying map are byways open to all traffic—None~~

~~Ways shown coloured GREEN on the accompanying map are public bridleways~~

~~Ways shown coloured PURPLE on the accompanying map are public footpaths~~

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

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

1. Sir Richard Sutton Limited 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 Lincolnshire County Council on 22<sup>nd</sup> May 2013.

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

2. On the 22<sup>nd</sup> day of May, 2013 my predecessor in title Jonathan Russell deposited with Lincolnshire County Council, being the appropriate council, deposited a statement accompanied by a map showing Sir Richard Sutton Limited's (formerly Sir Richard Sutton's Settled Estates) property edged in red 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 had been dedicated as highways over Sir Richard Sutton Limited's (formerly Sir Richard Sutton's Settled Estates) property. *(delete wording in square brackets as appropriate and/or insert information as required)*

3. On the 22<sup>nd</sup> day of May 2013 my predecessor in title Jonathan Russell deposited with Lincolnshire County Council, being the appropriate council, a declaration dated 20<sup>th</sup> May 2013, 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 edged red on the map referenced in paragraph 1 above since the statement dated 20<sup>th</sup> May 2013 referred to in paragraph 2 above since the date of the declaration referred to in paragraph 3 above and at the present time Sir Richard Sutton Limited no intention of dedicating any more public rights of way over 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]].~~

~~[[/[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)**

None

**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: JAMES INGESTRE

Date: 18<sup>th</sup> May 2023

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.