

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 the form.

Landowner deposits are made to the County Council by any landowner, under the Highways Act 1980 and the Commons Act 2006. They enable the landowner to protect land against claims for new public rights of way and village greens. This is because if the public have been using a route or an area for 20 years or more, public rights may have accrued unless the landowner has done something during those 20 years to indicate that they did not wish public rights to accrue.

One way of making that wish clear is by making a landowner deposit. In an application owners show on a plan the land owned, and mark on it the existing public rights of way and/or village greens. The application shows the intention that they do not mean any other rights to come into being.

Please note that applications protect against claims made because the public are using the land. If evidence shows that rights already exist, either historically or because 20 years has already passed, an application will not delete those rights.

Completing the Form

Online guidance on completing the form is available here; <https://www.gov.uk/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form>. Please refer to it when completing the form.

A complete Landowner Deposit is comprised of 2 parts, the statement (Parts A, B,D,F of the form) and the declaration (Parts A,C,F). Although there is no obligation, HCC advise applicants to submit both parts as soon as possible.

Parts A and F must be completed in all cases.

Where an 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. For additional support please read, [Guidance for the completion of form CA16](#). Multiple parcels of land should be clearly identified by coloured edging on a map.

The statement and/or declaration requires direct reference to all colours shown on an accompanying map or previously lodged map, the colours must be specified in the text 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 use that colour.

An application must be accompanied by an Ordnance Survey 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 Survey map at a scale of not less than 1:10,560 and clearly identify the boundary of the land to which the application relates in coloured edging.

Application Fees and Payment Information

The basic fee for either a Highways Act only application, or a combined application including the Commons Act (Part D), is **£290** which includes the provision of a site notice. The applicant is required to display a notice on each parcel of land identified within the application. If there is more than one land parcel, multiple notices will be required.

An application will be considered complete and deposited with the legal team and on the online register once evidence (an image of the site notice in-situ) is received.

If HCC are requested to put up the notices, then an additional cost of **£21** for each additional notice required, plus **£70/hr** for Officer time + mileage will be applied. Please contact row@hertfordshire.gov.uk for further advice.

Completed application forms and maps should be sent in PDF format to row@hertfordshire.gov.uk. Applications will be acknowledged with an estimate of cost and details of the method of payment. Incomplete applications will be returned for correction.

Payments should be made using HCC's Payment Portal. [Application Fees | Hertfordshire County Council](#)

A cost confirmation email will be sent with the payment reference and link to the payment page, after an application is reviewed. If you have any questions or you have not received your email/payment reference, please contact row@hertfordshire.gov.uk

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:
Hertfordshire County Council

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

Name:	
Address:	
Postcode:	

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):

Description of Land(s):	
Full address:	
Postcode	

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

Grid Reference(s)	

6 This deposit comprises the following statement(s) and/or declarations (*tick relevant box or boxes*):

- PART B**
- PART C**
- PART D**

(delete Parts B, C or D from the form below where not applicable):

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 edged [*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 [I am/[*insert name of owner*] is] the owner of the land described in paragraph 4 of Part A of this form and shown edged [*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 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*] referenced 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 edged [*insert colouring*] on the map [accompanying this statement/deposited with [*insert name*] Council on [*insert day, month, year*]].

[I/[*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 making the statement of truth)	
Print Name:	
Date:	

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 upgrade 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.