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Deposit No: No. 390 - deposit 20/9/13
Pre 1st October 2013



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 <http://www.defra.gov.uk/rural/protected/greens/> . 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.

Please send your completed application form and map, together with a cheque for **£380** made payable to 'West Sussex County Council' to:

Rights of Way, Legal Services
West Sussex County Council
County Hall, West Street
Chichester
West Sussex
PO19 1RQ

Rights of Way Officer, Law & Governance

West Sussex County Council

Council Hall

Chichester

West Sussex

PO19 1RQ

April 8th, 2019

Dear Sirs,

HAYWARDS HEATH GOLF CLUB LAND -BESIDE FOOTPATH LR24

This is a declaration denying the existence of a public highway across Haywards Heath Golf Club's land.

Mid Sussex District Council granted planning permission to create a three-hole academy golf course on the land in question, but for a variety of reasons the academy course has not been developed

To maintain the integrity of the land, hedging and fencing has been erected around the boundary, and this has been backed up with signage advising the public that there is no right of way across the land. The signage is regularly maintained.

Despite all this the hedging is regularly destroyed, the wire fencing is cut, and the signs are pulled down and thrown away. This vandalism occurs within hours of any repair. The situation is not helped by the fact that LR24, the footpath that runs along the eastern boundary of our land and is the official right of way, is difficult to access. The long grass on our land, which is frequently trodden down into a path by the trespassers, appears to be a more readily accessible route.

To prevent continuing use of the land by the public, thereby potentially establishing a potentiality right of way, I am submitting this declaration to sit alongside the declaration made previously by Graham White, my predecessor in August 2013.

I enclosed copies of previous communications and recent photographs.

- I would appreciate your confirmation of our position and that this letter has been recorded on your files.

Yours faithfully

Helene Issom

Golf Club Manager

PART A

Information relating to the applicant and land to which the application relates

(All applicants must complete this Part)

<p>1. Name of appropriate authority to which the application is addressed:</p> <p style="text-align: center;">West Sussex County Council</p>
<p>2. Name and full address (including postcode) of applicant:</p> <p>Haywards Heath Golf Club High Beech Lane Haywards Heath West Sussex RH16 1SL</p>
<p>3. Status of applicant (tick relevant box or boxes):</p> <p>I am</p> <p>(a) <input type="checkbox"/> the owner of the land(s) described in paragraph 4.</p> <p>(b) <input checked="" type="checkbox"/> making this application and the statements/declarations it contains on behalf of Haywards Heath Golf Club who is the owner of the land(s) described in paragraph 4 and in my capacity as [insert details]</p>
<p>4. Insert description of the land(s) to which the application relates (including full address and postcode)</p> <p>Academy Field Haywards Heath Golf Club High Beech Lane Haywards Heath West Sussex RH16 1SL</p>
<p>5. Ordnance survey six-figure grid reference(s) of a point within the area of the land(s) to which the application relates (if known)</p> <p>OSX (eastings) 533128, OSY (northings)125932 ordinance survey reference for middle field</p>

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

Haywards Heath Golf Club is the owner of the land described in paragraph 4 of Part A of this form and shown PINK on the map accompanying this statement.

Ways shown in GREEN on the accompanying map are public footpaths and not on our land.

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

PART C

Declaration under Section 31(6) of the Highways Act 1980

1. Haywards Heath Golf Club is the owner of the land described in paragraph 4 of Part A of this form and shown PINK on the map [accompanying this declaration/lodged with West Sussex County Council on 18th April 2019.

2.

On the 23rd day of August 2013, the previous Club Secretary, Mr. G White lodged a declaration with West Sussex County Council, being the appropriate council, a statement accompanied by a map showing Haywards Heath Golf Club property in PINK which stated that: There are no public footpaths over Haywards Heath Golf Club Academy Field.

3. On the 9th day of April 2019 Mrs H Issom, Club Manager deposited with West Sussex County Council, being the appropriate council, a declaration dated 9th April 2019, stating that no additional ways had been dedicated as footpaths since the deposit of the statement referred to in paragraph 2 above.

4. No additional ways have been dedicated over the land PINK on the map accompanying this declaration/referenced in paragraph 1 above since the statement dated 23rd August 2013 referred to in paragraph 2 above since the date of the declaration referred to in paragraph 3 above. At the present time Haywards Heath Golf Club have no intention of dedicating any more public rights of way over the property.

PART D

Statement under Section 15A of the Commons Act 2006

Haywards Heath Golf Club is the owner of the land described in paragraph 4 of Part A of this form and shown in PINK on the map accompanying this statement/deposited with West Sussex County Council on 23rd April 2019.

PART E

Additional information relevant to the application

The public footpath is to one side of our field and NOT through the field. All signage and fences are destroyed within days of being put back up. Please see attached photographs.

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: Mr Peter Stevenson (Trustee of Haywards Heath Golf Club)

Date: 25 April 2019

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



EXISTING FOOTPATH

ACADEMY FIELD

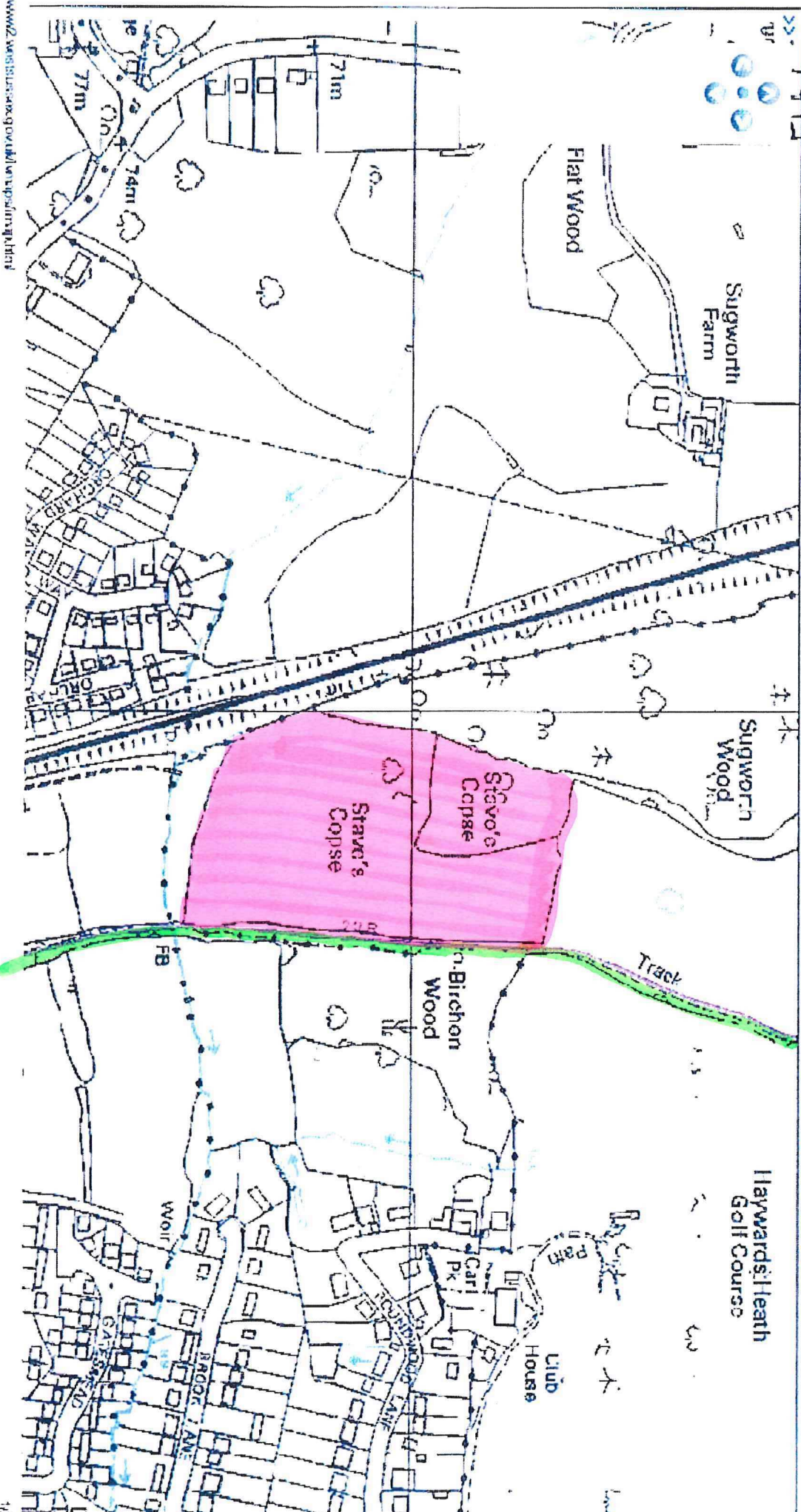
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**THIS IS NOT
THE FOOTPATH**

**PRIVATE
PROPERTY
KEEP OUT**



**PRIVATE
PROPERTY
KEEP OUT**

**THIS IS NOT
THE FOOTPATH**







August 2013

Peter Jupp
Rights of Way Officer, Law & Governance
West Sussex County Council
County Hall
Chichester
West Sussex
PO19 1RQ

Dear Mr Jupp

HAYWARDS HEATH GOLF CLUB LAND BESIDE FOOTPATH LR24

The enclosed Declaration denying the existence of a public highway across our land is made in the light of recent events and activities.

The land in question has been granted planning permission by Mid Sussex District Council to create an academy golf course of three holes. In advance of the major part of the work necessary to fulfil this project we have attempted to maintain the integrity of the hedging and fencing around the boundary. This closure of gaps has been backed up with signs advising members of the public that there is no right of way across the land.

Unfortunately, the hedges have been pulled apart, the fence wire cut and the signs pulled down and thrown into the woods. Occasionally this vandalism has occurred within hours of the signs being put up and the fences repaired.

The result is that people walking across the field have knocked down the long grass and this summer it looks like a mown pathway between long grass on either side. The existing footpath LR24 on the eastern boundary of the land is the route that should be used.

Therefore, to prevent continuing use of the field with the potential risk of establishing a right of way we are submitting this declaration.

I trust you will accept and record these documents in your files.

Thanking you for your help

Yours sincerely

Graham White
Club Secretary

Peter Jupp
Rights of Way Officer, Law & Governance,
West Sussex County Council
County Hall,
Chichester, PO19 1RQ

DEPOSIT OF STATEMENT AND MAP
SECTION 31(6) OF THE HIGHWAYS ACT 1980

To West Sussex County Council

- 1 I am and have been since 1st January 2011 (elected at an AGM on 3rd December 2010) a Trustee of Haywards Heath Golf Club. In accordance with Clause 20 of the Club's Constitution the property of the Club has been vested in me and my fellow Trustees. I have been authorised by the Club's Management Committee in accordance with Clause 23 to act personally on this matter

The Trustees hold, on behalf of the Club, the land marked on the attached map known as Stave's Copse and the open ground to the east that is bounded by Footpath LR24 on its eastern side and the railway tracks on the west. The southern boundary is just north of the line of the brook that runs eastwards to flow between Gatesmead and Brook Lane. All cleared land to the north of this point belongs to the Golf Club.

2. The aforementioned land lies in the parish of Lindfield Rural.
- 3 The way (LR24) coloured purple on the attached map is a public footpath. This runs along the eastern boundary of the Golf Club's property.
4. No ways over the land described in 1. have been dedicated as highways
- 5 The deposit shall comprise of this statement and accompanying map.

Signed

Witnessed

Peter Stevenson
Trustee for Haywards Heath Golf Club
Of
Littlecroft
Copyhold Lane
Cuckfield
West Sussex
Date: 28 August 2013

Graham White
Club Secretary
Haywards Heath Golf Club
High Beech Lane
Haywards Heath
West Sussex
RH16 1SL
Date: 28 August 2013