



**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 1<sup>st</sup> 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 practise, the appropriate council and commons registration authority will usually be the same body.

Please send you completed application form and map together with a cheque made payable to 'Isle of Wight Council' for the appropriate fee to:

**In respect of s31(6) Highways Act 1980 deposits (Parts B and C):**

**Public Rights of Way  
Isle of Wight Council  
County Hall  
High Street  
Newport  
Isle of Wight  
PO30 1UD**

**In respect of s15A(1) Commons Act 2006 deposits (Part D):**

**Tree Team – Development Control  
Seaclose Offices  
Fairlee Road  
Newport  
Isle of Wight  
PO30 2QS**

Please note your application will be acknowledged if it is complete  
Incomplete applications (and cheque) will be returned.

# 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:  
**Isle of Wight Council**

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

Name: Oliver Cooper  
Address: BCM  
Red Barn, Cheeks Lane  
Merstone,  
Newport, Isle of Wight  
Postcode: PO30 3DE

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 the Trustees of the The David Biles Will Trust who are the owners of the land(s) described in paragraph 4 and in my capacity as Agent:

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

Description of Land(s): Land at Somerton Farm, Northwood, Cowes, Isle of Wight as shown edged in red on the attached Plan

Full address(es):  
Postcode(s) Somerton Farm, Northwood, Cowes, Isle of Wight PO31 8PE

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

SZ 495941

---

---

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

PART B    Y   
PART C      
PART D    Y

*(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**

The Trustees of The David Biles Will Trust (Samuel Frederick Biles of Gotten Leaze Farm, Lynch Lane, Calbourne, Isle of Wight PO30 4JH and Claudia Roberts of Glanvilles Damant, The Courtyard, St Cross Business Park, Newport Isle of Wight PO30 4BF) are the owners of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this statement.

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

## **PART D**

### **Statement under section 15A(1) of the Commons Act 2006**

The Trustees of The David Biles Will Trust (Samuel Frederick Biles of Gotten Leaze Farm, Lynch Lane, Calbourne, Isle of Wight PO30 4JH and Claudia Roberts of Glanvilles Damant, The Courtyard, St Cross Business Park, Newport Isle of Wight PO30 4BF) are the owners of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.

The Trustees of The David Biles Will Trust (Samuel Frederick Biles of Gotten Leaze Farm, Lynch Lane, Calbourne, Isle of Wight PO30 4JH and Claudia Roberts of Glanvilles Damant, The Courtyard, St Cross Business Park, Newport Isle of Wight PO30 4BF) 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 or any part of the land shown edged red on the accompanying map.

# 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:



Date: 19<sup>th</sup> October 2020

(of the person making the statement of truth)

Print Name: Oliver Cooper

**You should keep a copy of the completed form**

---

## Data Protection Rules

### Privacy Notice – please read carefully

The Isle of Wight Council collects, uses and is responsible for certain personal information about you. When it does so it is regulated under data protection rules and is responsible as 'controller' of that personal information for the purposes of those rules.

#### **The personal information collected, how it used and why**

The information that you provide in this form will be used by the Council 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 Council 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 Council 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 Council will not permit any unwarranted breach of confidentiality nor will they act in contravention of their obligations under the Data Protection rules



The Council will share all personal data with third parties if it is required by law to do so. This may include the Police and other law enforcement authorities/agencies.

**How long your personal data will be kept**

The Council will hold your personal information indefinitely as per the above legislation.

**Further Information**

For further details on how your information is used; how the Council maintains the security of your information; and your rights, including how to access information it holds on you, and how to complain if you have any concerns about how your personal details are processed, please visit [www.iwight.com](http://www.iwight.com) or email [dpo@iow.gov.uk](mailto:dpo@iow.gov.uk).

**Who to Contact**

The Isle of Wight Council is the data controller for the personal information you provide with the application. The council's Data Protection Officer is the Head of Legal Services and Monitoring Officer and can be contacted at [dpo@iow.gov.uk](mailto:dpo@iow.gov.uk). You can contact the Council by phone on 01983 821000, or by writing to us at County Hall, High Street, Newport, Isle of Wight, PO30 1UD.

