

## STATUTORY DECLARATION

### SECTION 31 (6) HIGHWAYS ACT 1980

I STEPHANIE STELLA BILLINGER of 3 Mount View Terrace Trévenner Lane Marazion Penzance Cornwall TR17 0DW DO SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am and have been since the 21<sup>st</sup> March 2003 the owner of the land known as *The Quarry* Boat Cove Lane Trenow Perranuthnoe Penzance Cornwall TR20 (*the Property*) more particularly delineated on the map marked "SSB" accompanying this Declaration and thereon coloured pink
2. I have by dispatch on the 15<sup>th</sup> April 2003 to Cornwall County Council being the appropriate council deposited with it a statement dated 15<sup>th</sup> April 2003 accompanied by a map delineating the property by pink colouring which stated that no ways had been dedicated as public rights of way over the property
3. No public rights of way over the property have been dedicated since the said statement dated 15<sup>th</sup> April 2003
4. At the present time I have no intention of dedicating any public rights of way over the property

AND I MAKE this solemn declaration on conscientiously believing the same to be true by virtue of the Statutory Declarations Act 1835

Declared by the above named STEPHANIE STELLA  
BILLINGER at *Penzance* in the County & Duchy  
of Cornwall this *17<sup>th</sup>* day of *April* 2003

Before me,

Commissioner for Oaths/~~Solicitor~~

**COODES Solicitors**  
49/50 Morrab Road  
Penzance  
Cornwall TR18 4EX

## STATUTORY DECLARATION

### SECTION 31 (6) HIGHWAYS ACT 1980

I STEPHANIE STELLA BILLINGER of 3 Mount View Terrace, Trevenner Lane, Marazion, Penzance, Cornwall TR17 0DW

DO SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I make this Declaration SUPPLEMENTAL to a Statutory Declaration (*my First Declaration*) made by me on the 17<sup>th</sup> April 2003. Words used in this and in my First Declaration have the same meanings in both and the map marked SSB referred to in this and in my First Declaration is one and the same map.
2. I am and have been since the 21<sup>st</sup> March 2003 the owner of the land known as *The Quarry* Boat Cove Lane Trenow Perranuthnoe Penzance Cornwall TR20 (*the Property*) more particularly delineated on the map marked "SSB" accompanying my First Declaration and thereon coloured pink.
3. On the 15<sup>th</sup> April 2003 I deposited with Cornwall County Council being the then appropriate council a statement accompanied by a map delineating my property by pink colouring which stated that no ways had been dedicated as public rights of way over the Property.
4. My said statement referred to in paragraph 3 above is now held by Cornwall Council as statutory successor to Cornwall County Council.
5. No public rights of way over the Property have been dedicated since the deposit of the statement referred to in paragraph 3 above.
6. At the present time I have no intention of dedicating any public rights of way over the Property.

AND I MAKE this solemn declaration on conscientiously believing the same to be true by virtue of the Statutory Declarations Act 1835

Declared by the above named STEPHANIE  
STELLA BILLINGER at Saint Ives in the County  
& Duchy of Cornwall this 20<sup>th</sup> April 2010

Before me,

*Notary acting as a Commissioner for Oaths*

**Andrew Robinson, Notary Public**  
Royal Square Chambers, St Ives  
Cornwall TR26 2ND, UK

## 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**

##### **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.

**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:

Cornwall Council

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

Ms Stephanie Billinger

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):

The Quarry, Boat Cove Lane, Trenow, Perranuthnoe, Penzance, TR20

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

SW5329NW

6. This deposit comprises the following statement(s) and/or declarations (delete Parts B, C, or D where not applicable):

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

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

1. I am the owner of the land described in paragraph 4 of Part A of this form and shown red on the map accompanying this declaration.

2. On the 15<sup>th</sup> day of April 2003 I deposited with Cornwall County Council, being the then appropriate council, a statement accompanied by a map showing my property coloured pink which stated that the property fronts onto a bridleway, but no public right of way is routed through or across the property or any part of it and no way over the property has been dedicated as a public right of way.

3. On the 17<sup>th</sup> day of April 2003 I deposited with Cornwall County Council, being the then appropriate council, a declaration dated 17<sup>th</sup> April 2003, stating that no ways had been dedicated as public rights of way since the deposit of the statement referred to in paragraph 2 above.



4. On the 20<sup>th</sup> day of April 2010 I deposited with Cornwall Council, being the appropriate council, a declaration dated 20<sup>th</sup> April 2010, stating that no ways had been dedicated as public rights of way since the deposit of the statement referred to in paragraph 2 above.

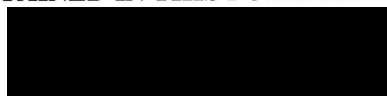
5. No ways have been dedicated over the land edged red on the map accompanying this declaration since the statement dated 20<sup>th</sup> April 2010 referred to in paragraph 2 above and at the present time I have no intention of dedicating any more public rights of way over my property.

**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:** STEPHANIE STELLA BILLINGER

**Date:** 5.4.16

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

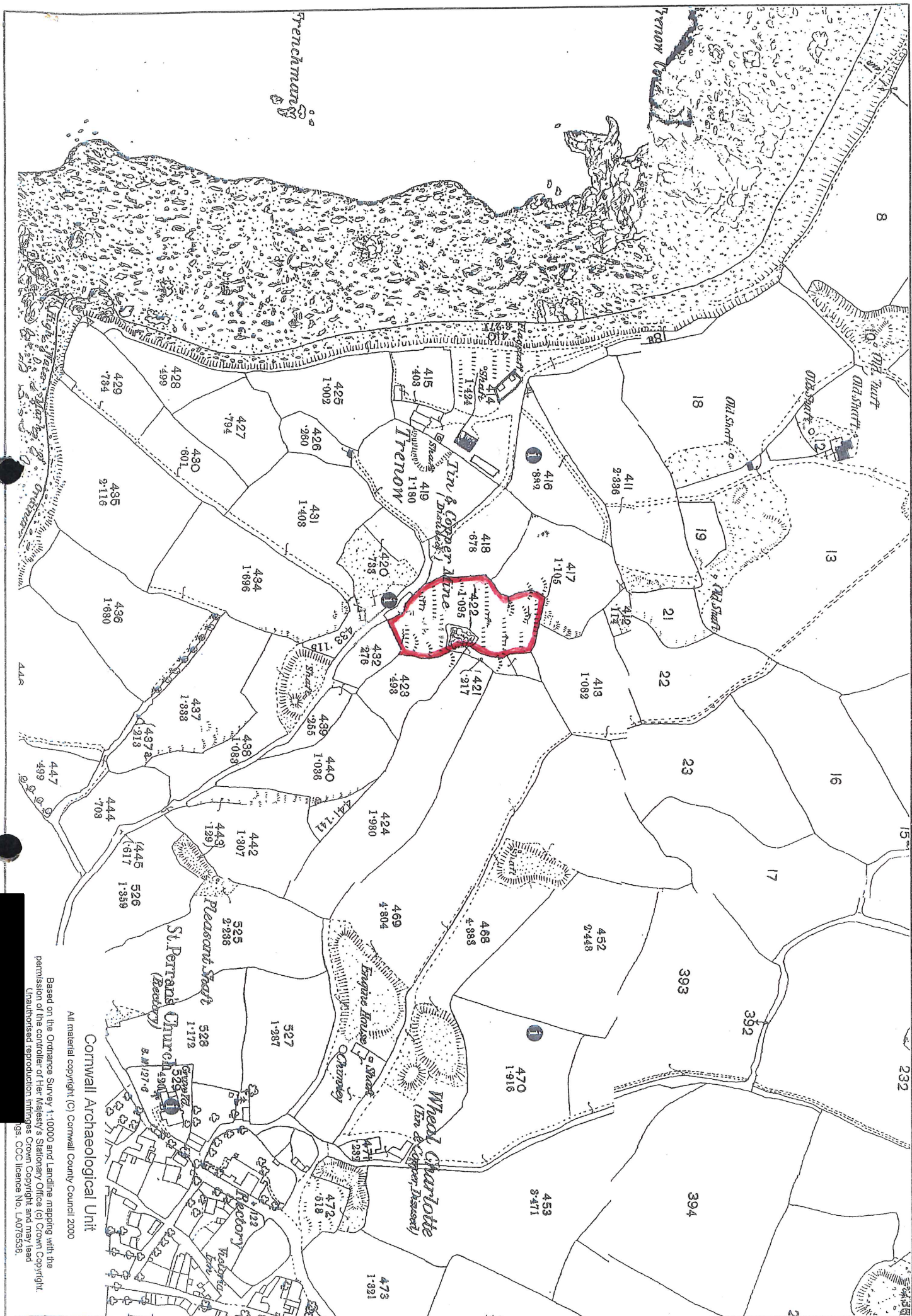
**Data Protection Act 1998 - Fair Processing Notice**

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.



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5.4.16

Cornwall Archaeological Unit