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CLUTTONS

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Ralph Ward
Civic Centre 4
Much Park Street
Coventry, CV1 2PY

CITY DEVELOPMENT
DIRECTORATE
16 FEB 2007

24th January 2007

Dear Mr Ward

All Souls College – Footpath Declaration for Keresley

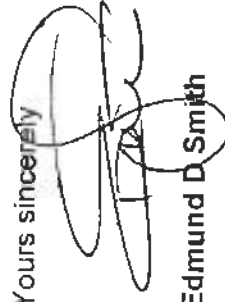
Further to our earlier conversation, I understand that you are not aware of dedications that can be made under Section 31 (6) of the Highways Act 1980. Please find enclosed some information concerning the Rights of Way dedication and the subsequent footpath declaration on behalf of The Queens College for the Keresley Estate.

Under the Highways Act 1980, a landowner is allowed to deposit a statement and plan detailing any public rights of way they acknowledge as already existing across their land. This can help to protect the landowner from any future claims based on user evidence that might be made to record additional public rights of way over their land.

Once the landowner has made a footpath declaration, it is regarded as an indication that they do not intend to dedicate rights further to those shown on the plan. The declaration should then be made at least every 10 years to ensure continued protection.

I would be grateful if you could attend to this matter as soon as possible but if you have any queries concerning this please do not hesitate to contact me.

Yours sincerely



Edmund D Smith

Coventry Public Rights of Way Register
For information only
Intellectual property rights exist in this document

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Cluttons - in the United Kingdom, Europe, Middle East and South Africa.
CREATOR IN PEOPLE

All Souls College
C/o Cluttons
13 Beaumont Street
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OX1 2LP

**STATEMENT OF LANDOWNER AS TO ADMITTED HIGHWAYS UNDER THE
HIGHWAYS ACT 1980 SECTION 31(6)**

TO: Ralph Ward
Coventry City Council
Civic Centre 4
Much Park Street
Coventry, CV1 2PY

Location of Land: Keresley

1. I, Andrew Packe of Cluttons, am acting for and on behalf of the owner, The Queens College, of the above-mentioned land which is shown edged red on the plan hereby deposited with the County Council of Coventry
2. I admit that the under-mentioned ways and no others shown on the said plan have been dedicated as public highways as specified below:

DESCRIPTION OF HIGHWAYS

<u>Footpaths</u> (Shown coloured Green)	<u>Description</u>
	M 309
	M 311
	M 315
	M 316
	M 317

Dated the 14th Day of February 2007

Signature of Agent: [Signature] For and on behalf of The Queens College

Witness: [Signature]

Occupation: PA

Address: 13 Beaumont St. Oxford OX1 2LP

GUIDELINES

PROTECTION AGAINST PRESUMED RIGHTS OF WAY DEDICATION Section 31(6) Highways Act 1980 Deposit

(Please note that this protection is designed for those who own the fee simple of a piece of land; not for tenants or tenants for life.)

Statute

The Countryside and Rights of Way Act 2000 (Commencement Order No 4) Order 2004 made changes to Section 31(6) of the Highways Act 1980 so that Section 31(6) now provides that:-

"an owner of land may at any time deposit with the appropriate council:-

- (a) a map of the land on a scale of not less than 6 inches to 1 mile; and
- (b) a statement indicating what ways (if any) over the land he admits to having been dedicated as highways;

and, in any case in which such a deposit has been made, statutory declarations made by that owner or by his successors in title and lodged by him or them with the appropriate council at any time:

- (i) within ten years from the date of deposit; or
- (ii) within ten years from the date on which any previous declaration was last lodged under this Section,

to the effect that no additional way (other than any specifically indicated in the declaration) over the land delineated on the said map has been dedicated as a highway since the date of the deposit, or since the date of the lodgement of such previous declaration, as the case may be, are, in the absence of proof of a contrary intention, sufficient evidence to negative the intention of the owner or his successors in title to dedicate any such additional way as highway".

Transitional Provisions

Transitional provisions are in place with regard to Section 31(6) deposits so that the amendment to Section 31(6) does not apply where:-

- “(a) an owner or his predecessors in title have, more than six years before 13th February 2004, deposited a map and statement in accordance with Section 31(6) of the 1980 Act; and
- (b) that owner or his predecessors in title have not, within the period of six years ending on 12th February 2004, lodged a statutory declaration (whether or not there has been a previous declaration) in accordance with Section 31(6) of the 1980 Act.”

City Development Directorate
Head of Development Regulations

Civic Centre 4
Much Park Street
Coventry
CV1 2PY

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ralph.ward@coventry.gov.uk

Mr. Edmund Smith
Cluttons LLP
13 Beaumont Street
Oxford
OX1 2LP

Our reference CDD/RAW/8250/17
22 February 2007

Dear Mr. Smith,

Re: Section 31 (6) Highways Act 1980 – All Souls College, Keresley

I confirm receipt of your statement and plan (dated 14th February 2007) deposited on behalf of The Queens College in respect of land at Keresley.

For information, the original documents referred to above will be kept on deposit in the Council's Records & Land Charges Section and a duplicate set will also be kept in the Traffic Advice & Design Team of the City Development Directorate.

Yours sincerely



Ralph Ward
Principal Engineer

Copy: Tricia Southwell, records & land charges

Mark Smith

Deed ref No. 25425A