

# Attachment 1



Title Number : HD349858

This title is dealt with by Land Registry, Leicester Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he suffers loss by reason of a mistake in an official copy.

This extract shows information current on 29 AUG 2013 at 09:18:54 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HD349858
Address of Property	: land on the north east of The Close, Codicote
Price Stated	: £60,000
Registered Owner(s)	: JOHN WILLIAM HODGE of Plovers, East Lavant, Chichester, West Sussex PO18 0AJ.
Lender(s)	: None



Title number HD349858

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 29 AUG 2013 at 09:18:54. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

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## A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : NORTH HERTFORDSHIRE

- 1 (13.12.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the north east of The Close, Codicote.

NOTE: The land tinted green on the filed plan is not included in the title.

- 2 (13.12.1996) The land has the benefit of the following rights reserved by a Conveyance of land adjoining the north eastern boundary of the land in this title dated 10 June 1994 made between (1) Thomas William Hodge (the Vendor) and (2) Frederick Cyril Manning and David George Michael Manning (the Purchasers):-

"There is reserved from the Property until such time as the Vendor or his successors in title the owners or occupiers for the time being of the Vendor's retained land edged in green on the plan attached hereto ("the Retained Land") shall commence building work for residential development thereon a right for the Vendor and his successors in title to each and every part of the Retained Land at such reasonable times as shall be agreed between the Vendor and the Purchasers to pass with or without such vehicles as shall reasonably be necessary for the continued cultivation of the Retained Land as agricultural land over the Property in order to gain access to the Retained Land from the public highway subject to the exact location of such accessway being determined at the reasonable discretion of the Purchasers."

NOTE: The Retained Land referred to is the land in this title.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (16.12.2008) PROPRIETOR: JOHN WILLIAM HODGE of Plovers, East Lavant, Chichester, West Sussex PO18 0AJ.
- 2 (16.12.2008) The price stated to have been paid on 2 December 2008 was £60,000.
- 3 (16.12.2008) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge not being a charge registered before the entry of this restriction is to be registered without a certificate signed by Thomas William Hodge of 4 The Limes Welwyn Garden City Herts AL7 4BD or his personal representatives or his conveyancer that the provisions of clauses 12.2.1 and 12.2.3 of a transfer dated 2 December 2008 made between (1) Thomas William Hodge and (2) John William Hodge have been complied with.



### C: Charges Register

This register contains any charges and other matters that affect the land.

1 (13.12.1996) By a Deed of Partition dated 5 August 1977 made between (1) John William Hodge (Vendor) and (2) Thomas William Hodge (Purchaser) the land in this title and other land was conveyed subject as follows:-

"SUBJECT TO the covenants and other matters referred to in the third schedule hereto.

The Third Schedule before referred to

.....  
..

(c) The covenants and provisions of an Undertaking dated the 13th day of December 1966 to the Hitchin Rural District Council by the said William Hodge Gwendoline Ada Hodge and the Trustees so far as the same is still subsisting and capable of taking effect."

NOTE: No Details of the Undertaking referred to were supplied on first registration. The Trustees referred to are the parties to the Deed of Partition.

2 (13.12.1996) An Agreement as to the apportionment of development value contained in the Deed of Partition dated 5 August 1977 referred to above relates to the land in this title.

The said Agreement has been amended firstly by a Deed of Variation dated 9 September 1986 made between (1) John William Hodge and (2) Thomas William Hodge and secondly by a Deed of Release dated 6 January 1994 made between (1) John William Hodge (2) Thomas William Hodge and (3) Barclays Bank PLC.

NOTE: Copy Deeds filed.

3 (13.12.1996) The land is subject to the following rights granted by a Conveyance of the land tinted green on the filed plan dated 1 November 1988 made between (1) Thomas William Hodge (the Vendor) and (2) British Gas PLC (British Gas):-

"TOGETHER WITH the rights set out in the Second Schedule hereto (hereinafter called "the said rights")

#### THE SECOND SCHEDULE

The rights to lay construct inspect maintain protect use replace remove or render unusable pipes for the transmission or storage of gas or other materials (whether such gas or materials are transmitted by British Gas on its own behalf or on behalf of other persons) and all necessary apparatus ancillary thereto (all hereinafter together called "the said works") in upon and over the pink land and to pass over the pink land for the purposes of the said works and over the said land for the purpose of access to the pink land and the land edged red at all reasonable times and in an emergency at any time whether or not with workmen vehicles machinery and apparatus.

The said Conveyance also contains the following restrictive covenants by the Vendor:-

THE Vendor (to the intent and so as to bind the said land and every part thereof into whosoever hands the same may come and to benefit and protect the rights) hereby covenants with British Gas that:-

- (i) no buildings or constructions of whatsoever nature shall be erected on
- (ii) no soil or materials shall be deposited over
- (iii) no excavations shall be made in and
- (iv) no trees or deep rooted shrubs shall be planted on





Title number HD349858

## C: Charges Register continued

the land shown for identification purposes only coloured pink on the plan annexed hereto (hereinafter called "the pink land") without the consent of British Gas.

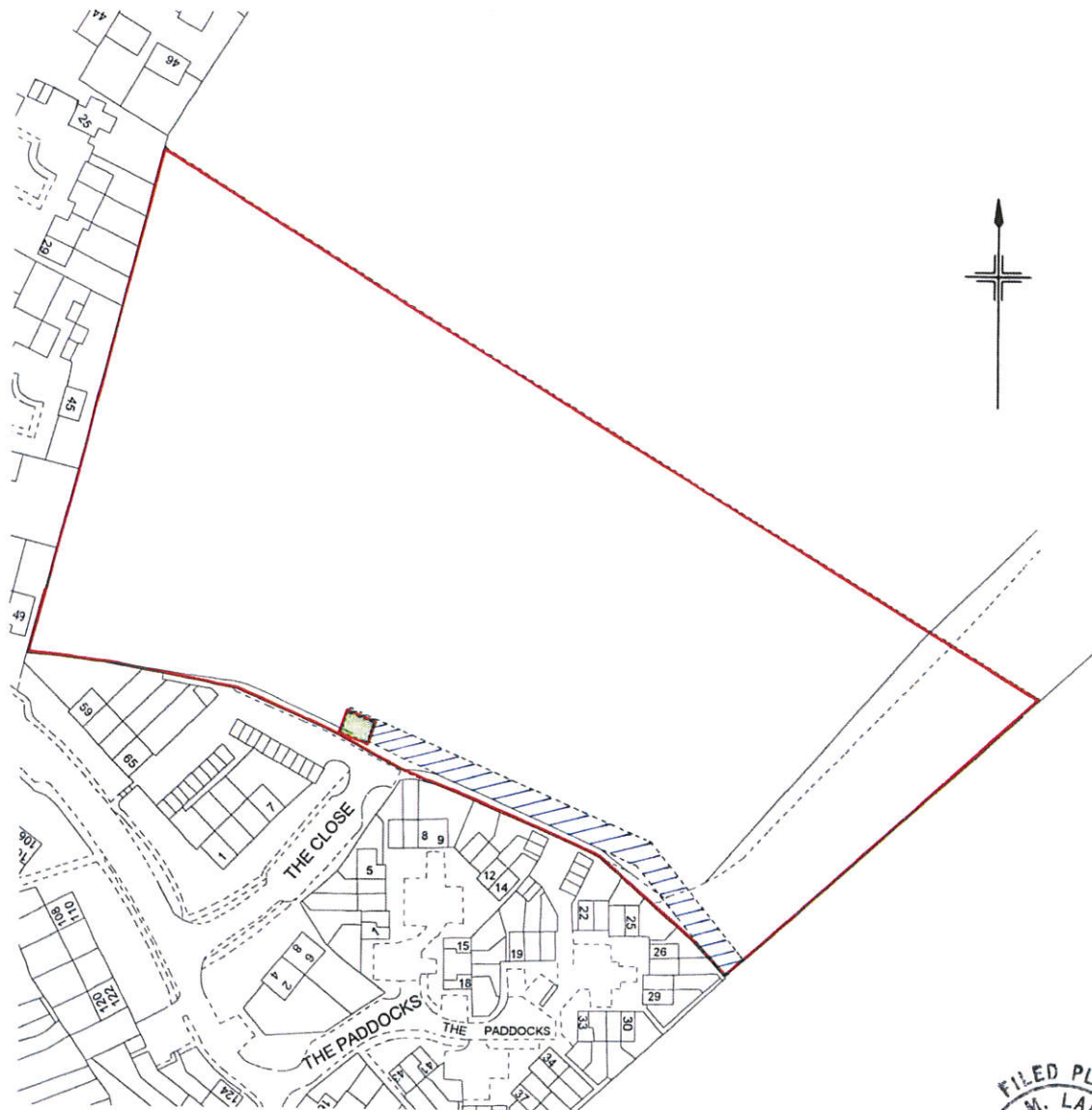
NOTE: The land coloured pink referred to is hatched blue on the filed plan.

End of register



H.M. LAND REGISTRY		TITLE NUMBER
		<b>HD349858</b>
ORDNANCE SURVEY PLAN REFERENCE	TL 2118 TL 2218	Scale 1/1250
ADMINISTRATIVE AREA	HERTFORDSHIRE: NORTH HERTFORDSHIRE	© Crown copyright

NOTE THE LAND TINTED GREEN HEREOF  
IS NOT INCLUDED IN THIS TITLE



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## Attachment 2



HCC Registry ref:        /        /

**REGISTER OF DEPOSITS**

- **HIGHWAYS ACT 1980\***
- **COMMONS ACT 2006\***

(\* tick if applicable or specify N/A)

**DETAILS OF APPLICATION**

Date Application received in prescribed form      11/10/17  
Date by which any subsequent highways  
declaration must be lodged      10/10/37

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**Parcel**

District	North Herts	Parish	Codicote
Address and postcode of buildings on each piece of land subject to the application to which a postcode has been assigned		Land to the north east of The Close Codicote SG4 8YQ	
Nearest town/city to above		Welwyn Garden City	
OS 6 figure Grid Reference(s) for a point within the area of the land <i>(if possible for postcode point above)</i>		TL 219 182	

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**NOTICE OF LANDOWNER DEPOSITS** under  
**Section 31(6) of the Highways Act 1980 and**  
**Section 15A(1) of the Commons Act 2006**  
**HERTFORDSHIRE COUNTY COUNCIL**

An application to deposit a map and statement under section 31(6) of the Highways Act 1980 and deposit a statement under section 15A(1) of the Commons Act 2006 has been made in relation to the land (or lands) described below and shown edged red on the accompanying map.

**PLEASE NOTE:**

This deposit may affect rights over the land described below. Deposits made under section 31(6) of the Highways Act 1980 may prevent deemed dedication of public rights of way over such land under section 31(1) of that Act. Deposits made under section 15A(1) of the Commons Act 2006 may affect the ability to register such land as a town or village green under section 15 of that Act. For further information please see guidance at <https://www.gov.uk/guidance/town-and-village-greens-how-to-register>

**Description of the land:**

**Land to the north east of The Close, Codicote, SG4 8YQ**

Name of the parish, ward or district in which the land is situated:

North Herts district, Codicote parish

The deposit was submitted by John Hodge and was received by this authority on 11<sup>th</sup> October 2017.

The authority maintains a register of maps, statements and declarations deposited under section 31A of the Highways Act 1980 and section 15B of the Commons Act 2006. This register can be accessed online at [www.hertfordshire.gov.uk/landownerdeposits](http://www.hertfordshire.gov.uk/landownerdeposits) or can be inspected free of charge at Hertfordshire County Council, County Hall, Pegs Lane, Hertford, Hertfordshire, SG13 8DN during office hours between 9:00am and 5:00 pm

**Signed on behalf of Hertfordshire County Council:**

**Name and position of Signatory:** R. Cuthbert Team Leader Access & Rights of Way

**Date:** 11<sup>th</sup> October 2017



# PART A

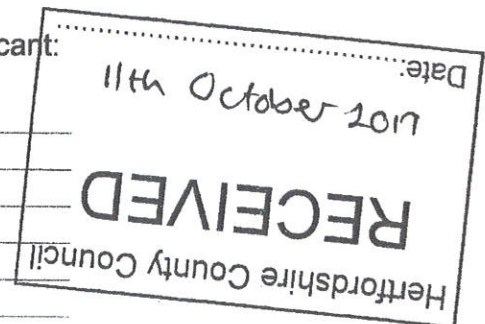
## Information relating to the Applicant and Land to which the Application relates

(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: John Hodge  
Address: 5 Toll House Close  
Westgate  
Chichester  
West Sussex  
Postcode: PO19 1SE



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): Land to the North East of The Close, formerly part of Bury Farm- extending to approximately 2.4 Hectares

Full address: The Close, Codicote  
Postcode: SG4 8YQ

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

TL 2199 1825

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 the owner of the land described in paragraph 4 of Part A of this form and shown edged red on the map accompanying this statement.

Ways shown blue on the accompanying map are public footpaths.

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

## PART D

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

I am the owner of the land described in paragraph 4 of Part A of this form and shown edged in red on the map accompanying this statement deposited with Hertfordshire County Council on 3<sup>rd</sup> October 2017.

I 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 outlined in red on the accompanying map.

## PART E

### **Additional information relevant to the application**

(insert any additional information relevant to the application)

The attached correspondence confirms the mapping error shown in the latest version of the Definitive Map. It confirms that the position of Footpath 7 which should be close up against the field boundary

## Alex Medhurst

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**From:** Angela Simpkins <Angela.Simpkins@hertfordshire.gov.uk>  
**Sent:** 10 May 2017 15:44  
**To:** Alex Medhurst  
**Subject:** RE: Codicote Footpaths 007 &008  
**Attachments:** Position of FP7 as shown in 1979 DIV Order.pdf

Dear Alex,

As requested please find attached a plan showing the position of footpath 7 as shown in the 1979 diversion order. The diversion order was the last legal order made to amend the footpath and HCC therefore considers this to be the correct position. Please note HCC's request for a (minimum of) 4 metres with on the footpath.

Sadly the regulations relating to the Deregulation Act 2015 (the legislation to which I refer in my October email) are likely still to be a year away and so changing the Definitive Map to correct admin errors is not possible at the moment.

Kind regards, Angela

Angela Simpkins  
Definitive Map Officer, Access & Rights of Way  
Environment Department  
Postal Point CHN103  
Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DN  
t: 01992 555232 Comnet / Internal: 25232

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**From:** Alex Medhurst [mailto:alex@medhursts.com]  
**Sent:** 05 May 2017 11:13  
**To:** Angela Simpkins  
**Subject:** Codicote Footpaths 007 &008

Dear Angela

I am working with Ken Lee of Putterills, acting for John Hodge. John he has asked me follow up your attached email from last October.

My understanding is that you have offered to provide a map of the reinstated route of Footpath 007 until such time as the Definitive Map can be re-issued. I am not sure if you now have the necessary legislation you refer to, in which case the updated Definitive Map would be preferable.

If not, a copy of the working/draft version would be much appreciated, please?

Many thanks in anticipation.

Regards

Alex Medhurst  
BSc (Hons) MRICS  
Director



Codicote footpath 7, The Close

Footpaths as recorded on the 2015 DM

Position of footpath 7 as shown in the 1979 Diversion Order and on subsequent editions of the DM until 2010 (1-2-3)

Scale 1:2,500



6

5

The Bury

Path (6m)

Pathway

1

3

8

2

4

7a

7

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## Mr J Hodge

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**From:** Angela Simpkins [Angela.Simpkins@hertfordshire.gov.uk]  
**Sent:** Thursday, October 20, 2016 2:20 PM  
**To:** Mr J Hodge  
**Cc:** ken.lee@putterills.co.uk; Tom Goldsmith  
**Subject:** RE: Codicote Footpaths 007 & 008

Dear Mr Hodge,

Further to our meeting and your email correspondence with Tom, I have had the opportunity to look at the Definitive Map documents relating to footpath 7.

Footpath 7 was diverted by legal order in 1979. The order diverted the footpath onto the southern boundary of your field, up against the boundary line. This, I recall, is what you recollected of the footpath. The diverted footpath was shown on subsequent editions of the Definitive Map on the southern boundary of your land against the fence boundary of The Close. This only changed recently when the Definitive Map was re-published in 2015. We believe that there has been a positional shift in the Ordnance Survey mapping – meaning that OS maps have become more accurate in the area but the footpath information has remained static.

We propose that the route of footpath 7 be reinstated on the line as shown in the 1979 diversion order (up against The Close boundary fence line) at a width of 4 metres. Tom and I can provide a map to work from for this purpose.

C's policy sets a minimum of 2 metres on footpaths, however you mentioned an easement of 3 metres along the boundary and given the persistent tipping along the fence line (garden clippings etc), 4 metres would be our preference.

With regards to the Definitive Map, I am unable to make an immediate amendment which would rectify the position anomaly with regards to footpath 7. However, we are currently awaiting legislation which will make the process of altering the Definitive Map easier. When this legislation is received, HCC will be able to make legal orders to correct 'admin errors' for circumstances such as this.

Kind regards, Angela

**Angela Simpkins**  
**Definitive Map Officer, Access & Rights of Way**  
**Environment Department**  
Postal Point CHN103  
Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DN  
☎01992 555232 **Comnet / Internal:** 25232

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**From:** Tom Goldsmith  
**Sent:** 17 October 2016 14:23  
**To:** Mr J Hodge  
**Cc:** Angela Simpkins; ken.lee@putterills.co.uk  
**Subject:** Codicote Footpaths 007 & 008

Dear Mr Hodge,

Thank you for your email and for meeting with us on site last Thursday. We will see if there is any obvious error which has crept into the depiction of these paths on the Definitive Map over the various editions, but otherwise we cannot change what it shows and therefore where the paths have to be on the ground without a legal process.



## 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)

Date: 4/10/17

Print Name: John Hodge

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.

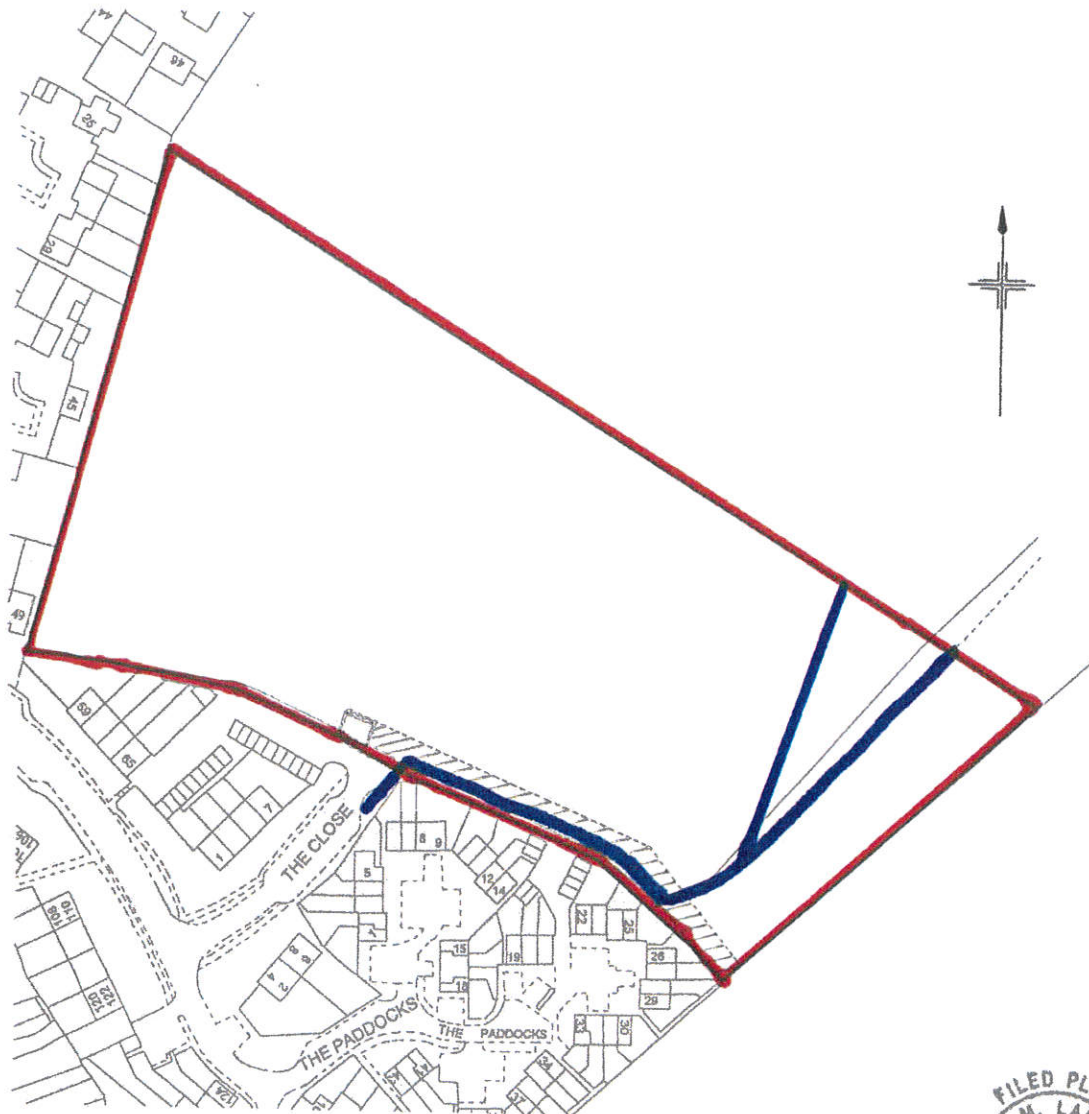
The information that you provide will be used by the appropriate authority in its duties to process applications to deposit statements, maps and declarations under section 31(6) the Highways Act 1980 and statements under section 15A(1) of the Commons Act 2006. The information you provide will also be 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.



H.M. LAND REGISTRY		TITLE NUMBER
		<b>HD349858</b>
ORDNANCE SURVEY PLAN REFERENCE	TL 2118 TL 2218	Scale 1/1250
ADMINISTRATIVE AREA	HERTFORDSHIRE: NORTH HERTFORDSHIRE	© Crown copyright

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