



Making a difference where you live

Section 31A file reference number:  
31A/4/05/013

THE HIGHWAYS ACT 1980 –  
SECTION 31(6)

**DEPOSIT OF MAPS, STATEMENTS AND STATUTORY  
DECLARATIONS SUMMARY SHEET**

**Title and/or description of land referred to:** Land formerly known as The Durham Brick & Tile Works, Frankland Lane

**District:** Durham

**Parish/ward:** Durham City

**Ordnance Survey grid reference (6 figure):** NZ 275, 436

**Land Post Code:** DH1 5

**Name and address of person who deposited the map/statements and statutory declarations**

**Name:** Ian Forrester and David Roderick Anthony Forrester (Executors of T W Holliday Deceased)

**Landowner/agent/tenant for life/trustees (delete as applicable)**

**Address:** C/o Ward Hadaway Solicitors  
Sandgate House, 102 Quayside  
Newcastle upon Tyne

**Post code:** NE1 3DX

**Date deposit of map and statement received:** 24/01/2005

**Date/s of statutory declaration:** 08/02/2005 & 15/02/2005

**Date current statutory declaration expires:** 15/02/2015

**Notes:**

Statutory Declarations submitted by the Executors of T W Holliday (Deceased)

**HIGHWAYS ACT 1980  
SECTION 31 (6)**

**NOTICE OF INTENTION NOT TO DEDICATE  
PUBLIC RIGHTS OF WAY**

ON BEHALF OF

Matthew Ian Forrester and David Roderick Anthony Forrester  
as  
The Executors of T W Holliday Deceased

SUBMITTED BY

WARD HADAWAY  
SOLICITORS  
SANDGATE HOUSE  
102 QUAYSIDE  
NEWCASTLE UPON TYNE  
NE1 3DX  
(P)FHC.RPA.FOR171.1



HIGHWAYS ACT 1980  
SECTION 31(6)

NOTICE OF INTENTION NOT TO DEDICATE PUBLIC RIGHTS OF  
WAY

Land at the Former Durham Brick and Tile Works, Frankland Lane,  
Durham City

**We, Mr Ian Forrester**, of 14 St Oswalds Drive, Fauwell Drive, Durham City, DH1  
3TE and **David Roderick Anthony Forrester** of 12b Dixons Bank Marton Cleveland  
as Executors of T W Holliday Deceased declare as follows:-

1. We are the Executors of T W Holliday Deceased.
2. The land vested in the Executors of T W Holliday Deceased includes the land shown edged red on the attached Plan, which we sign and date, and which is the land formerly known as the Durham Brick and Tile Works, Frankland Lane, Durham City.
3. We have been shown a copy of the Definitive Map with the relevant date of 1 November 1979, which is amended to show modifications effective before 31 July 2004 and which includes the land in the ownership of the Estate.
4. By reference to the copy of the Definitive Map referred to above, there are two public footpath which cross land in the our ownership. Footpath 2 on the Definitive Map runs across our land. The footpath commences at the south of the Brick Works off Frankland Lane, Durham and runs in a north-westerly direction through our land towards Newton Hall.
5. Footpath 118 on the Definitive Map also runs across our land. This footpath commences at a footbridge and runs in a north-easterly direction towards Frankland Lane and Frankland Farm.

6. Footpaths 2 and 118 referred to in (3) and (4) above are shown in a conclusive form on the statutory Definitive Map and for the avoidance of doubt, Footpaths 2 and 118 are shown coloured in green on the attached Plan. This is specifically intended to be a representation of the footpaths shown on the Definitive Map and does not in itself (and most particularly in the case of conflict with the Definitive Map) represent any dedication whether in terms of route, width, structures or any other details.
  
7. We have been informed that the Definitive Map is conclusive evidence as to the existence of a footpath, and subject to any evidence coming to light to the contrary, we are of the understanding that Footpaths 2 and 118 referred to in paragraphs 3, 4 and 5 above are only public rights of way by reason of them being included on the Definitive Map.
  
8. Other than Footpaths 2 and 118, we hereby give notice that no footpath or bridleway or any other kind of public highway crosses over the land in my ownership.
  
9. We understand that this Notice is effective for six years and to prevent public rights of way coming into being it must be followed by a Statutory Declaration at not more than six yearly intervals confirming that no additional rights of way have been dedicated.

Dated the 21<sup>st</sup> day of JANUARY 2004 5

Signed by

[Signature box]

[Signature box]

MATTHEW IAN FORRESTER

In the presence of

[Signature box]

[Signature box]

Name

J. A. E. MORRIS

A. SALVATORE  
9 GUNNER GATE LANE

Address

11 ST OSWALD'S DR  
DURHAM CITY  
DH1 3TE

MARTON  
MIDDLESBROUGH, TS7 8HZ

Signed by

[Redacted Signature]

.....

DAVID RODERICK ANTHONY FORRESTER

In the presence of

[Redacted Name]

.....

Name

A. SALVADORE

Address

9. GUNNERSGATE LANE

MARTON

MIDDLESBROUGH

TS7 8HZ

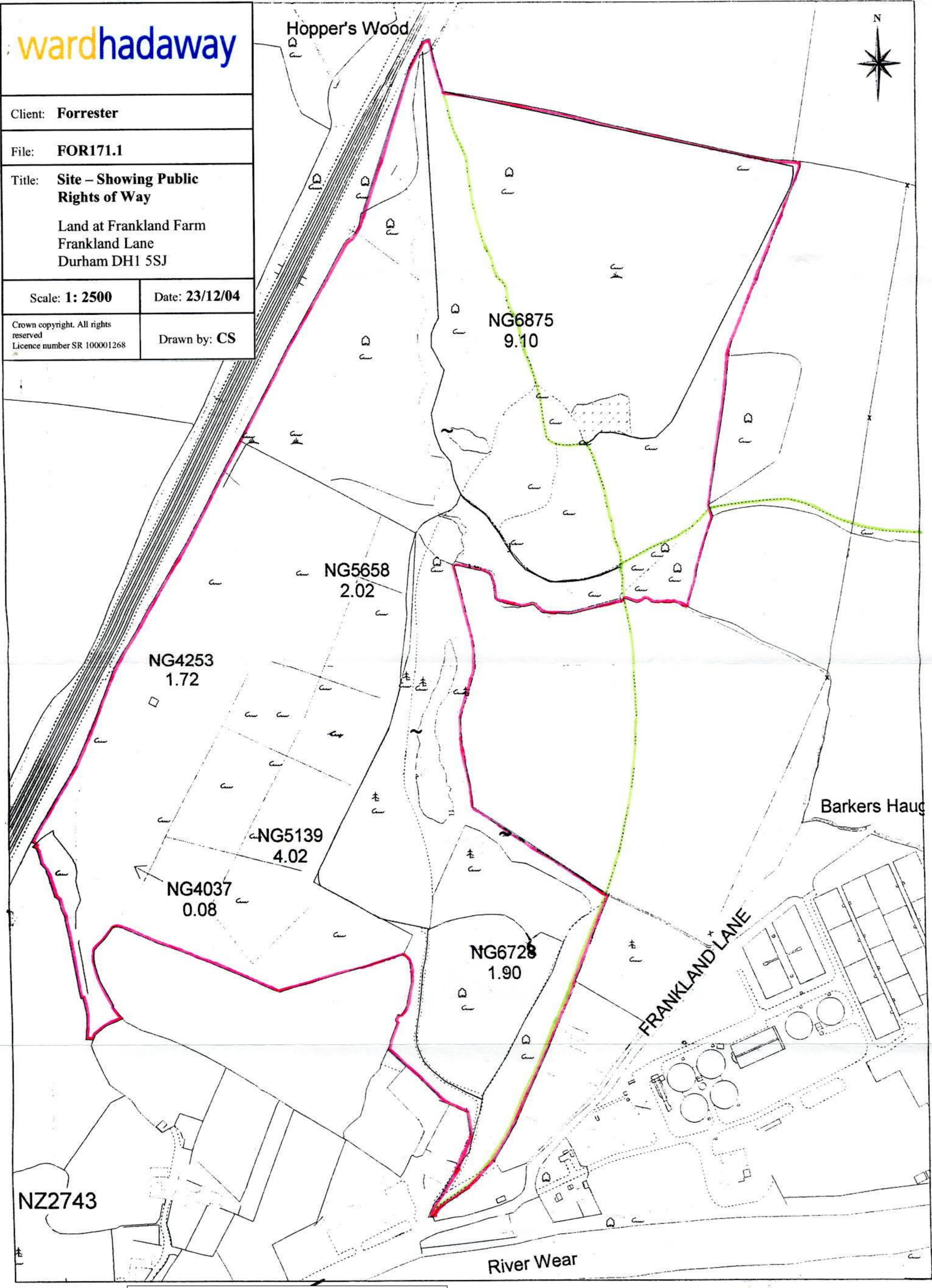


**wardhadaway**

Client: **Forrester**  
File: **FOR171.1**  
Title: **Site – Showing Public Rights of Way**  
Land at Frankland Farm  
Frankland Lane  
Durham DH1 5SJ

Scale: **1: 2500**      Date: **23/12/04**

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NZ2743

River Wear

FRANKLAND LANE

Barkers Haug

Hopper's Wood



**STATUTORY DECLARATION  
OF LANDOWNER**

**UNDER SECTION 31 (6) OF THE HIGHWAYS ACT 1980**


To: Durham County Council

**I, MATTHEW IAN FORRESTER** of 14 St Oswalds Drive, Farewell Hall, Durham City, DH1 3TE **DO SOLEMNLY AND SINCERELY DECLARE** as follows:-


1. I am an Executor of T W Holliday Deceased. The land formerly known as the Durham Brick and Tile Works, Frankland Lane, Durham City more particularly shown edged in red on the plan accompanying this Declaration is vested in the Executors of T W Holliday Deceased.
2. On the 21<sup>st</sup> January 2005 the Executors of T W Holliday Deceased deposited with Durham County Council a map of the land at the former Durham Brick and Tile Works, Frankland Lane, Durham City which is vested in the Executors of T W Holliday Deceased, together with a Statement identifying the public rights of way on the land, being only the footpaths marked "2" and "118."
3. Since such Deposit dated 21 January 2005 referred to in (2) above no additional way to that identified on such Map and described in such Statement (namely footpaths "2" and "118" shown as coloured green on the attached Plan) have been dedicated by the Executors of T W Holliday Deceased for the use by the public as highways and we do not intend to dedicate any more public rights of way over this property.

I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true by virtue of the Statutory Declarations Act 1835.

Dated:- 15<sup>th</sup> FEBRUARY 2005

Signed 

**Matthew Ian Forrester**

Before me:  SOLICITOR  
(Commissioner for Oaths or Justice of the Peace or Solicitor)

Address:- 3 NORTH BAILEY  
DURHAM CITY



**wardhadaway**

Client: **Forrester**

File: **FOR171.1**

Title: **Site – Showing Public Rights of Way**

Land at Frankland Farm  
Frankland Lane  
Durham DH1 5SJ

Scale: **1: 2500**

Date: **23/12/04**

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Licence number SR 100001268

Drawn by: **CS**



Hopper's Wood

NG6875  
9.10

NG5658  
2.02

NG4253  
1.72

NG5139  
4.02

NG4037  
0.08

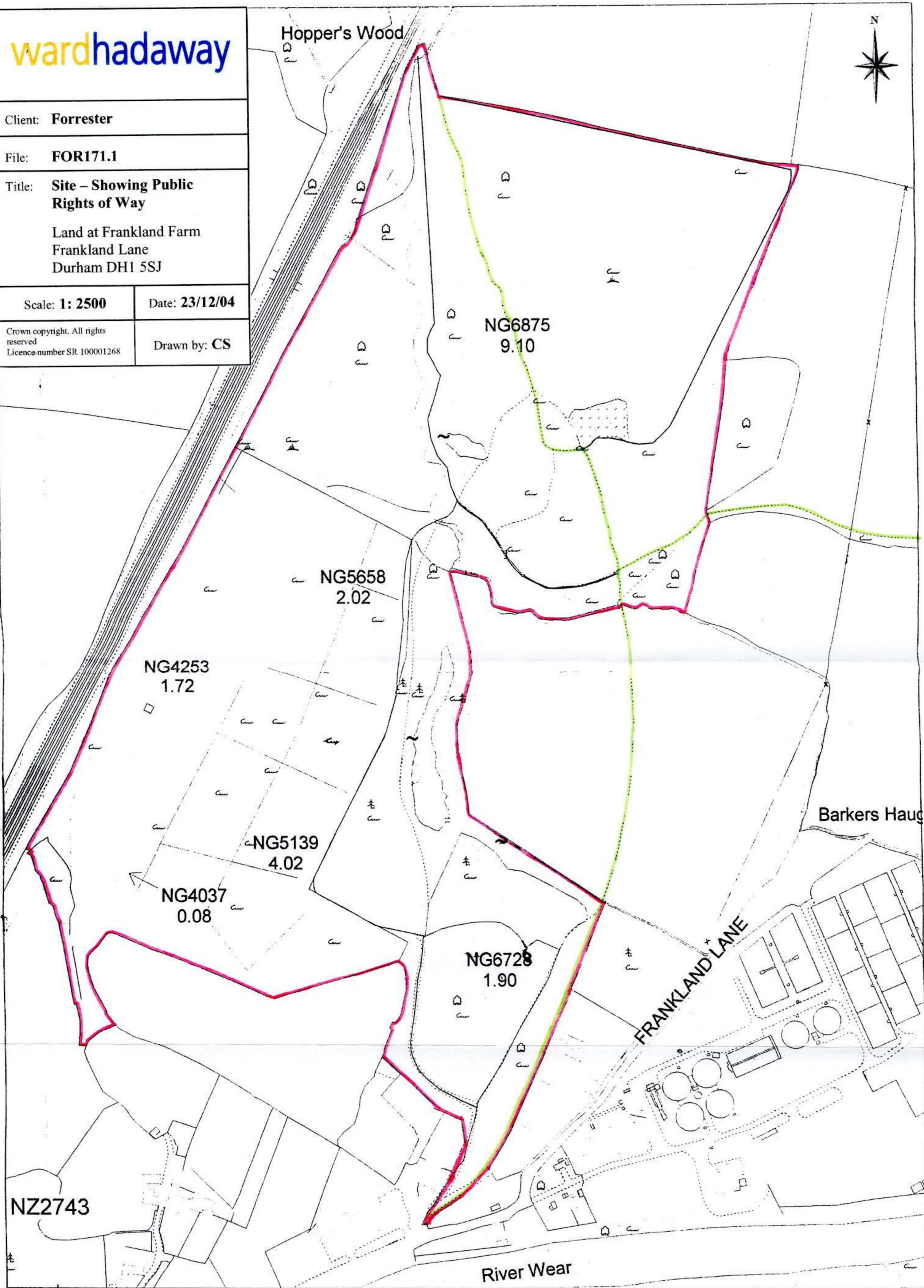
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NZ2743

FRANKLAND LANE

Barkers Haug

River Wear





**STATUTORY DECLARATION  
OF LANDOWNER**

**UNDER SECTION 31 (6) OF THE HIGHWAYS ACT 1980**

To: Durham County Council

**I, DAVID RODERICK ANTHONY FORRESTER** of 12b Dixons Bank Marton Cleveland **DO SOLEMNLY AND SINCERELY DECLARE** as follows:-

1. I am an Executor of T W Holliday Deceased. The land formerly known as the Durham Brick and Tile Works, Frankland Lane, Durham City more particularly shown edged in red on the plan accompanying this Declaration is vested in the Executors of T W Holliday Deceased.
2. On the 21<sup>st</sup> January 2005 the Executors of T W Holliday Deceased deposited with Durham County Council a map of the land at the former Durham Brick and Tile Works, Frankland Lane, Durham City which is vested in the Executors of T W Holliday Deceased, together with a Statement identifying the public rights of way on the land, being only the footpaths marked "2" and "118."
3. Since such Deposit dated 21 January 2005 referred to in (2) above no additional way to that identified on such Map and described in such Statement (namely footpaths "2" and "118" shown as coloured green on the attached Plan) have been dedicated by the Executors of T W Holliday Deceased for the use by the public as highways and we do not intend to dedicate any more public rights of way over this property.

**I MAKE THIS SOLEMN DECLARATION** conscientiously believing the same to be true by virtue of the Statutory Declarations Act 1835.



Dated: 8-2-05

Signed

**David Roderick Anthony Forrester**

Before me:  JONATHAN MILES NERTNEY (Solicitor)  
(Commissioner for Oaths or Justice of the Peace or Solicitor)

Address:-  
14 DIXONS BANK  
MARTON,  
MIDDLESBROUGH,  
TS7 8NT.



**wardhadaway**

Client: **Forrester**

File: **FOR171.1**

Title: **Site - Showing Public Rights of Way**

Land at Frankland Farm  
Frankland Lane  
Durham DH1 5SJ

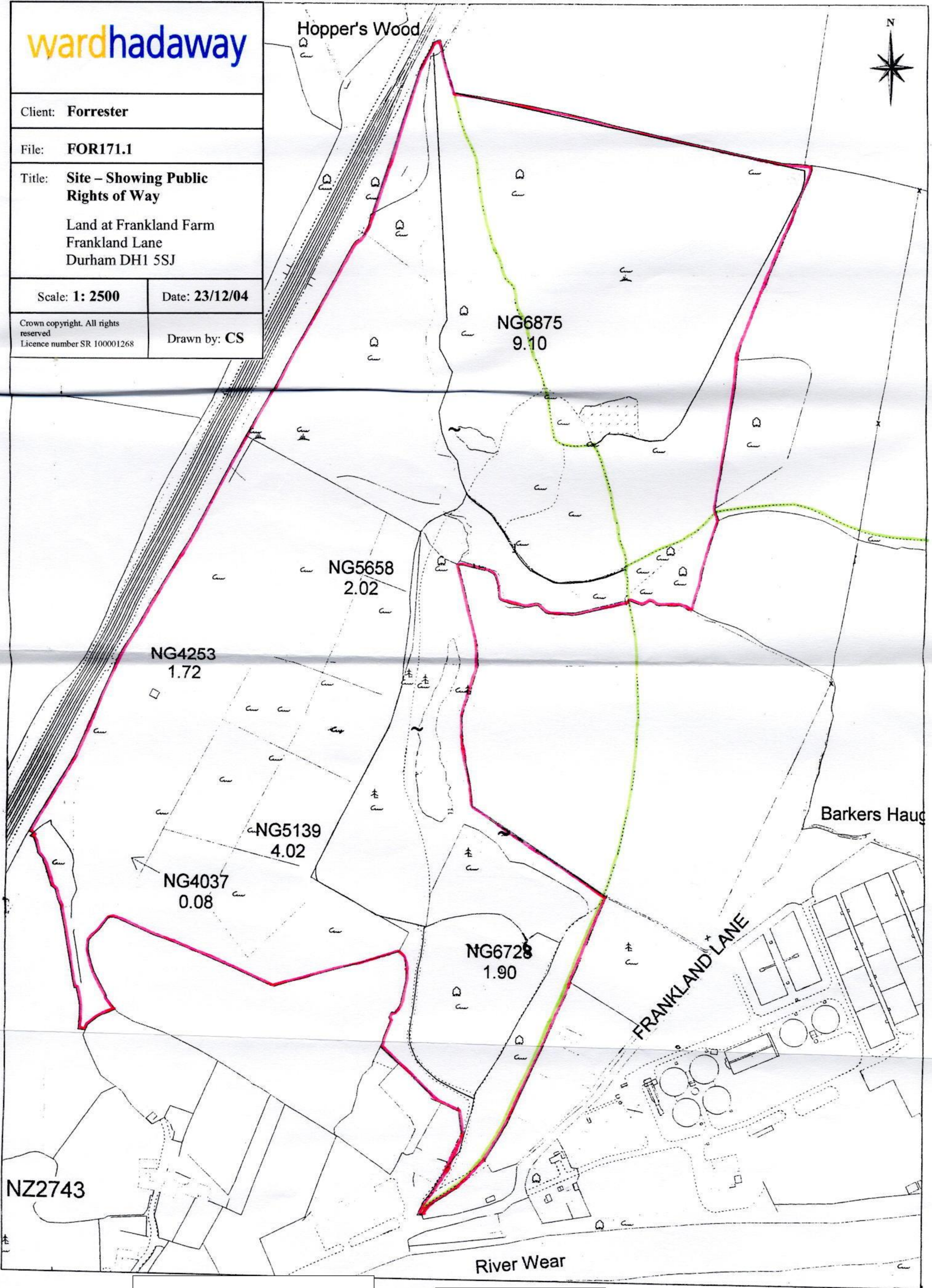
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Date: **23/12/04**

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Drawn by: **CS**

Hopper's Wood



NZ2743

JONATHAN MILES NERTNEY (SOLICITOR)