

Recorded Delivery.

Item reference DC791433997GB

STATUTORY DECLARATION
SECTION 31(6) OF THE HIGHWAYS ACT 1980

I, JOHN CHARLTON GAUNT of Wigmore Castle, Wigmore, Near
Leominster, Herefordshire DO SOLEMNLY AND SINCERELY DECLARE
as follows:

1. I am and have been since 26th day of January 1993 the
owner of the land known as Wigmore Castle more particularly
delineated on the plan accompanying this declaration and
thereon edged brown.

2. I also attach to this Declaration a letter dated 3rd day
of February 1997, marked "JCG-1".

AND I MAKE this solemn declaration on the 6th day of March
conscientiously believing it to be true and by virtue of the
Statutory Declaration Act 1835.

DECLARED AT *CARDIFF*

Signature of landowner

Shypru.

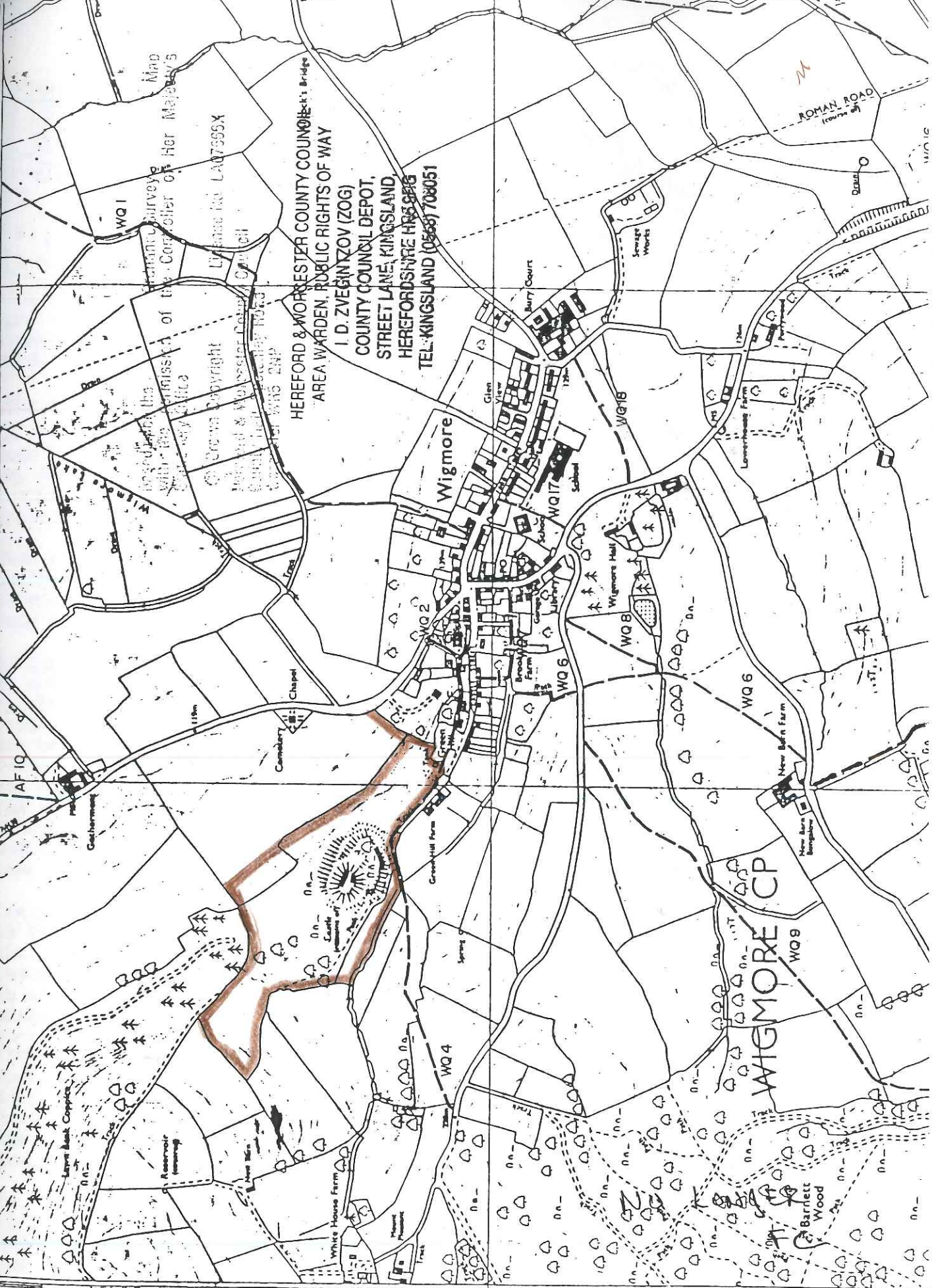
Before me,

A Commissioner for Oaths/Solicitor

ADFORTON CP
LONG 2° 32' W 41

42 31'

27,000m

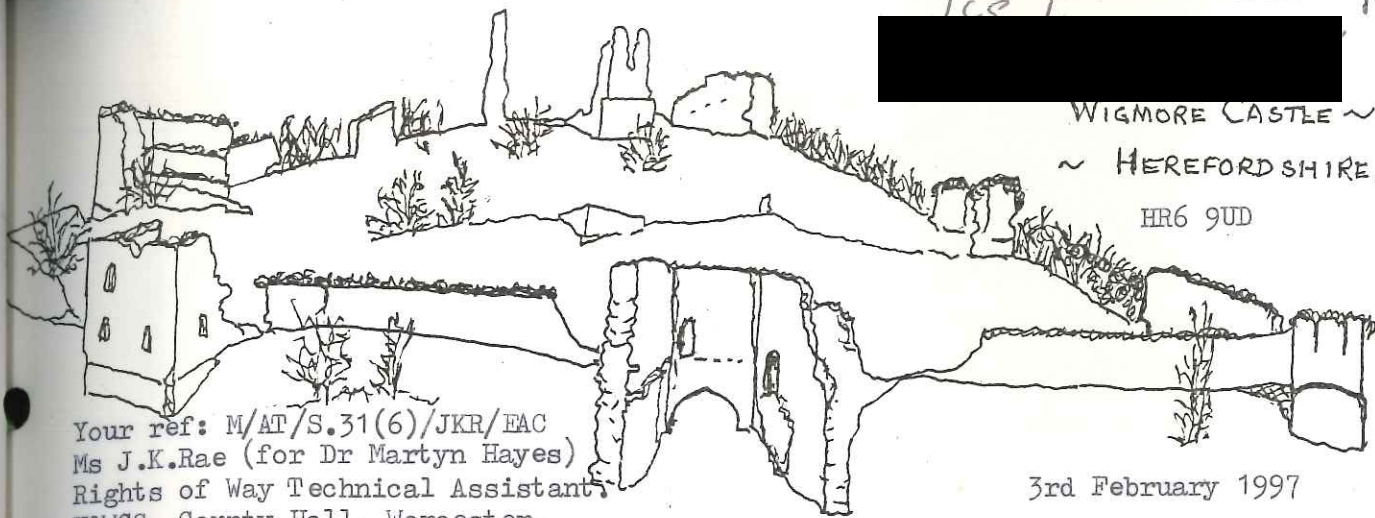


HEREFORD & WORCESTER COUNTY COUNCIL
 AREA WARDEN, PUBLIC RIGHTS OF WAY
 I. D. ZVEGINZOV (ZOG)
 COUNTY COUNCIL DEPOT,
 STREET LANE, KINGSLAND,
 HEREFORDS, HR8 9RG
 TEL: KINGSLAND (0566) 708051

ROMAN ROAD
(course 5th)

Wigmore

WIGMORE CP



Your ref: M/AT/S.31(6)/JKR/EAC
Ms J.K.Rae (for Dr Martyn Hayes)
Rights of Way Technical Assistant,
H&WCC County Hall, Worcester.

3rd February 1997

Dear Ms Rae,

In reply to your letter dated 22nd January 1997 and enclosure I advise that because your Council and Leominster District Council promoted my property pre-emptively of any consent in tourism literature whilst the castle was unsafe during the 1993/94 period large numbers of visitors began making my historic but structurally unsafe property their destination.

When alerted both Councils solicitors advised the departments responsible that these publications made your respective Councils responsible for public liability on a freehold private property for which there was neither agreement nor insurance cover. This unacceptable situation resulted in the publications being withdrawn.

On buying the castle in 1987 I was advised by my own solicitors that since there was no dwelling for me to live on my property to manage it the best I could do to protect myself from any claims for loss or injury which might be suffered by the uninvited visitors following their understandable urge to explore the famous fortifications the best I could do was display the enclosed notice (appendix 1) where the public footpath (WQA) enters onto my land. The reason this was necessary was because I did not want to follow my predecessors example by making the stiles into obstacles and grazing a herd of bullocks throughout the pastures, woodlands and ruins. It is my widely understood desire to enter into a legally secure partnership with the authorities as the second notice (appendix 2) made clear when the Secretary of State took the castle into Guardianship so that the extant masonry could be consolidated.

The pre-emptive 1993/4 promotions resulted in my obtaining Scheduled Monument Consent to fence the public footpath to the point past the first rampart where it enters onto the Outer Bailey which is a considerable help in keeping people on the public footpath thereafter. Your Council provided a kissing gate and paid for the labour employed. In addition, English Heritage have fenced round the castle to prevent public access whilst works are in progress. These fences have physically closed off what you have shown as 'permissive' footpaths shown in my deposit you refer to my having made on 13th March 1991. I now doubt however whether I was entitled to dedicate any permissive footpaths at that time since I was in the middle of divorce proceedings and doubt if I had either my ex-wife's authority or that of the Court which might have held the Deeds to the castle pending the divorce settlement. In addition I enclose a copy of the letter I sent to Norman Fletcher in your department on 18th January 1994 which discontinues the permissive footpaths detailed in the March 1991 deposit (Appendix 3)

In a recent planning application I detailed the partnership I would like with the Authorities to enable a properly managed Country Park to be created as you may know. Your present Council cannot however commit the future Herefordshire Authority to any commitment at this time so I had to withdraw the proposals for the time being.

Yours sincerely,

John Gaunt.

Copied to: English Heritage.
Mrs Cooper (My solicitor)

Appendices 1, 2, & 3 attached.

3/2/97 J Gaunt to
Ms J.K Rae for
Dr Martyn Hayes Appendix 1

Wigmore Castle and Woodland Walks are kept as a "managed wilderness" in private ownership open to the public. Visitors enter this area at their own risk and the owners accept no liability for any loss or damage sustained by visitors to themselves or their property however arising.

People visiting are to keep to scenic paths distanced from the masonry which must not be touched or walked on.

Keeping to the scenic paths as directed, you will see everything without damaging or disturbing castle, plants or wildlife.

The public footpath does not enter the castle.

All vegetation must be left undisturbed, especially the walls.

Do not pick flowers or they cannot regenerate.

Move quietly, keep under control and dogs on the lead.

This notice erected since 1987 now thought inadequate following Council promotions

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
This site is a scheduled ancient monument : it is an offence to use a metal detector on it or damage it in any way.

HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND

NOTICE

Wigmore Castle Ruins are in the 'Guardianship' of the Secretary of State.

Planned repairs mean the fenced 'Guardianship' area is closed for public safety until further notice.

When the Castle is reopened (Projected 1999) a much larger number of visitors may be expected.

The Owner is negotiating with Parish, District and County Councils for necessary arrangements, (paths, seats, picnic areas etc.) and management of the surrounding pastures and woodlands for public enjoyment and understanding of the natural environment and surrounding countryside.

The public footpath follows alongside the lane and does not enter the Castle.

Please move quietly, keep children under control and dogs on the lead.

Until formal agreement is reached visitors deviating from the public footpath to walk routes around the castle and to the Forestry Commission plantations do so entirely at their own risk and the owner will accept no liability for any loss or damage sustained by visitors to themselves or their property however arising.

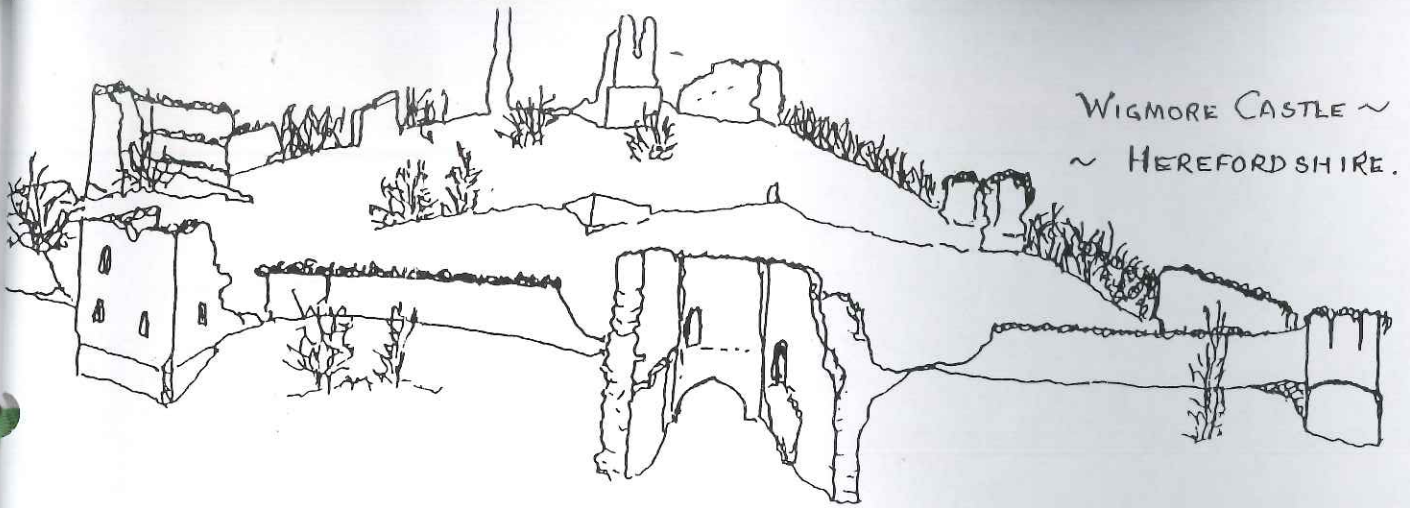
ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

This site is a scheduled ancient monument: it is an offence to use a metal detector on it or damage it in any way.

HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND

3/2/97 J. Gaunt to
Ms J.K. Ree for
Dr Martyn Hayes

Appendix 2



Dr Martin Hayes (W. Fletcher)
County Engineer and Surveyor and Planning Officer
County Hall (Director of Environmental Services)
Worcester

18th January 1994

Your ref: H.B.S.417/S.31/TF/SID dated 20th March 1991

Dear Sir,

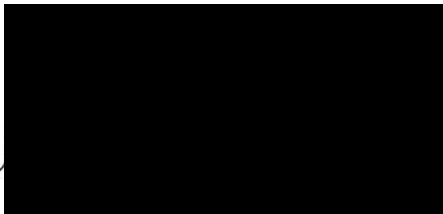
SECTION 31(6) HIGHWAYS ACT 1980
LAND AT WIGMORE CASTLE

Further to my letter and enclosures of 13th March 1991 which your letter dated 20th March 1991 acknowledges I advise that the ruins of Wigmore Castle are unsafe and that the promotions of recreation and tourism by your Council and Leominster District Council have increased my public liability.

My solicitor is writing to your Solicitor and the solicitor of Leominster District Council on the broader issues raised by the above situation and you may also be aware that I am seeking to fence public footpath WQ4 so that the castle can be closed should a satisfactory solution to my problems elude agreement.

Please accept therefore that the permissive footpaths registered in March 1991 are to be discontinued in March 1994 unless a satisfactory alternative arrangement has been reached through negotiation.

Yours faithfully,



John Gaunt.

3/2/97 J. Gaunt to

Mr J. K. Rae for

Dr Martyn Hayes

Appendix 3



— PUBLIC FOOTPATH —

--- track

--- Permissive footpaths

Scale 1:2,500

NGR SO 408 692

▨ ANCIENT MONUMENT SCHEDULED AREA.

▬ PROPOSED BUILDING

— ESTATE BOUNDARY

Permissive Footpaths at
 Wigmore Castle (Whilst in ownership of J. Gamut for 6 year period only. Change of ownership to nullify concession (if legal))
 Signed: [Redacted] 12/3/91.

Earthwork at point X has twice collapsed into lane opposite Greenhill Farm taking track with it. Most people now use permissive paths.

ROADS SECTION
 18 MAR. 1991
 HEREFORD & WORCESTER

ROADS SECTION
 18 MAR. 1991
 HEREFORD & WORCESTER

ROADS SECTION
 18 MAR. 1991
 HEREFORD & WORCESTER



To: Hereford and Worcester County Council

STATEMENT PURSUANT TO SECTION 31(6) HIGHWAYS ACT 1980

On the *Nineteenth* day of *March 1997* I wish to deposit with Hereford and Worcester County Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which states that the ways coloured brown on the said plan and the plan accompanying this declaration have been dedicated as highways with vehicular status, the ways coloured green on the said plan and on the plan accompanying this declaration have been dedicated as bridleways; the ways coloured purple on the said plan and on the plan accompanying this declaration have been dedicated footpaths; no other ways have been dedicated as highways over the property.

For completeness I add that between points A and B being on my land I believe footpath WQ4 should be correctly dedicated as part of a public bridleway as route WQ4 is shown as such on the 1903 map except that at B the footpath goes along the field (my land) and the bridlelane remains in the ancient hollow carriageway to Wigmore. I personally have seen people on horseback use the route unchallenged though it is now rendered impassable. Also refer to letter dated 6th March 1997.

Signed

[Redacted Signature]
of Wigmore Castle.

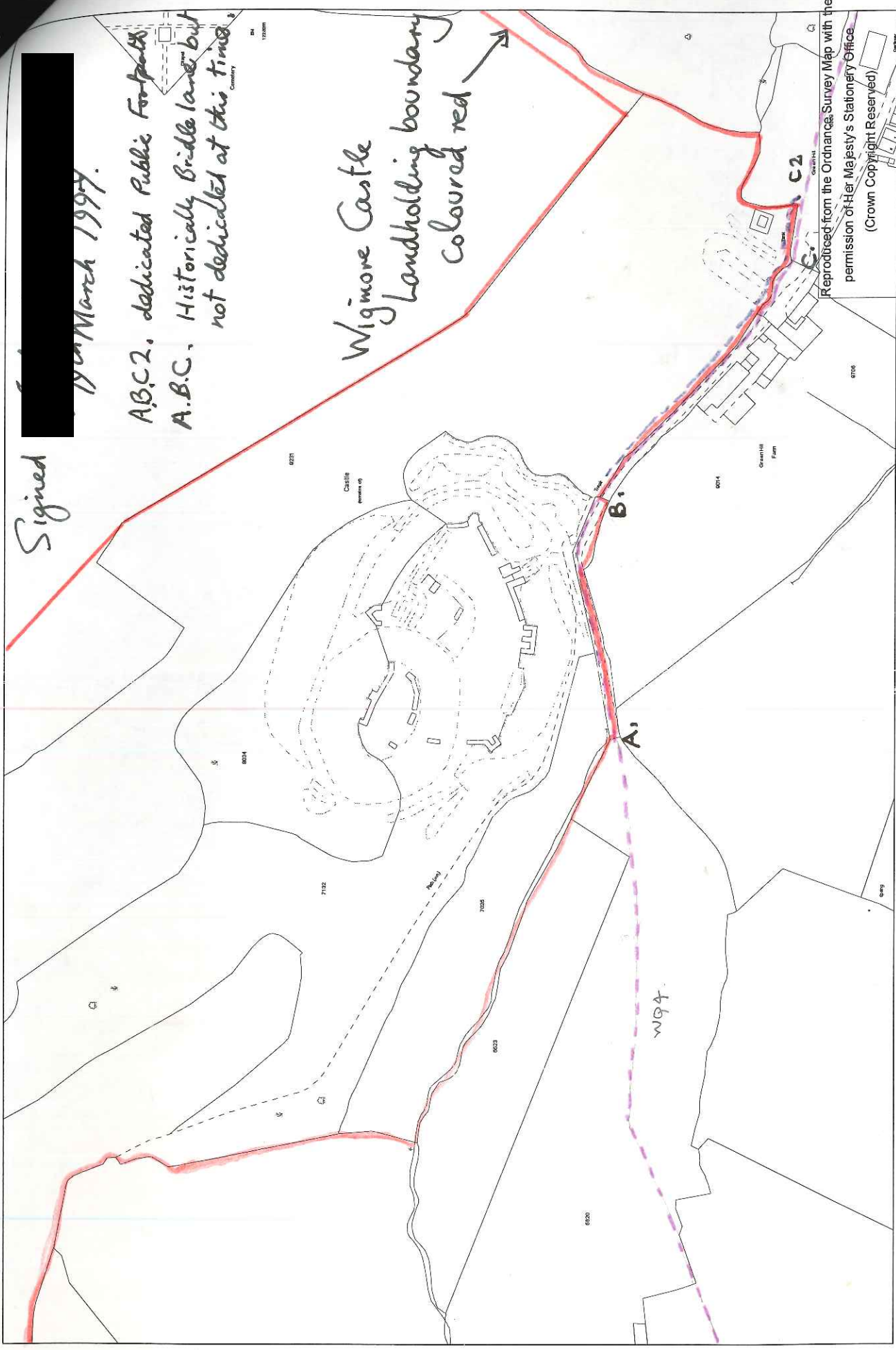
Signed

[Redacted]

19th March 1997.

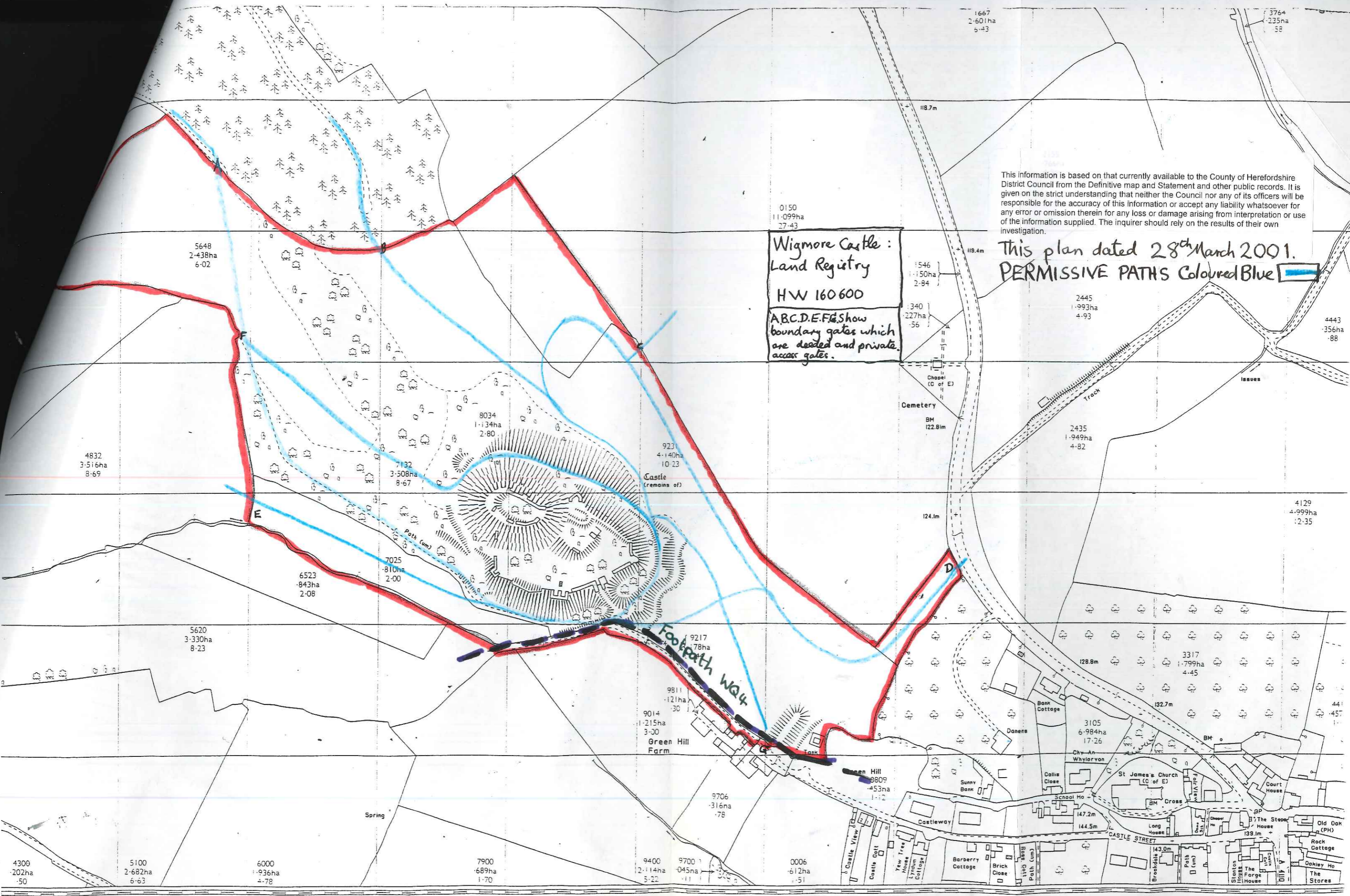
A.B.C.2, dedicated Public Footpath
A.B.C.1, Historically Bridle land but
not dedicated at this time

Wigmore Castle
Landholding boundary
Coloured red



Reproduced from the Ordnance Survey Map with the
permission of Her Majesty's Stationary Office
(Crown Copyright Reserved)

--- Public Footpath (not Definitive map) for identification purposes only



0150
11.099ha
27.43

Wigmore Castle :
Land Registry
HW 160600

A.B.C.D.E.F.G.H.I. Show
boundary gates which
are deduced and private
access gates.

This information is based on that currently available to the County of Herefordshire District Council from the Definitive map and Statement and other public records. It is given on the strict understanding that neither the Council nor any of its officers will be responsible for the accuracy of this information or accept any liability whatsoever for any error or omission therein for any loss or damage arising from interpretation or use of the information supplied. The inquirer should rely on the results of their own investigation.

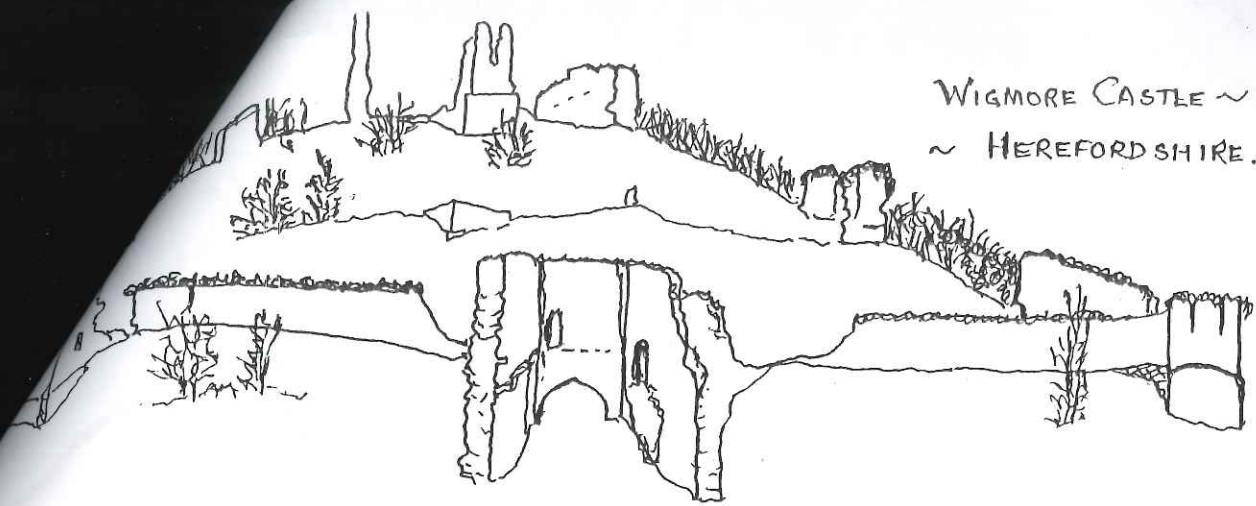
This plan dated 28th March 2001.
PERMISSIVE PATHS Coloured Blue

4300 202ha 50
5100 2.682ha 6.63
6000 1.936ha 4.78
7900 689ha 1.70
9400 2.114ha 5.22
9700 0.045ha 0.11
0006 0.612ha 1.51

4832 3.516ha 8.69
5648 2.438ha 6.02
7132 3.508ha 8.67
7025 0.810ha 2.00
6523 0.843ha 2.08
5620 3.330ha 8.23

8034 1.134ha 2.80
9231 4.140ha 10.23
9217 0.78ha 1.92
9811 0.121ha 0.30
9014 1.215ha 3.00
Green Hill Farm

1667 2.601ha 6.43
3764 2.235ha 5.58
118.7m
118.4m
1546 1.150ha 2.84
340 2.27ha 5.6
Chapel (C of E)
Cemetery
BM 122.8m
124.1m
2445 1.993ha 4.93
2435 1.949ha 4.82
4443 356ha 88
4129 4.999ha 12.35
3317 1.799ha 4.45
3105 6.984ha 17.26
St James's Church (C of E)
School Ho
147.2m
144.5m
143.0m
139.1m
132.7m
128.8m
Bank Cottage
Daners
Sunny Bank
Castleway
Barberry Cottage
Brick Close
Path (cum)
Path (cum)
Stanton House
The Forge House
The Steep House
Old Oak (PH)
Rock Cottage
Oakley Ho
The Stores



WIGMORE CASTLE ~
~ HEREFORDSHIRE.

To ; County of Herefordshire District Council

STATEMENT PURSUANT TO SECTION 31(6) HIGHWAYS ACT 1980

On The * 10th day of * April 2001. I intend to deposit with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which states that the ways coloured purple and named FOOTPATH WQ4 by the Council has been dedicated as a footpath and that no other ways have been dedicated as Public Rights of Way over the property, but routes here shown coloured blue are used by members of the public on foot and sometimes with bicycles since the castle was formerly re-opened on 12th October 1999(formerly registered with H.& W.C.C. as Permissive Footpaths)but formerly Closed by English Heritage and the Owner whilst contractors occupied the property edged red for three preceeding years, the Owner now re-registering the routes coloured blue as Permissive Footpaths.

Signed: * [Redacted Signature] [Redacted Name]
Signed: [Redacted Signature] [Redacted Name]

Dated: * 10th April 2001.
Dated:



HEREFORDSHIRE COUNCIL



STATUTORY DECLARATION SECTION 31 (6) OF THE HIGHWAYS ACT 1980

(landowner) DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. I am and have been since (day, month, year) 26th January 1993 the owner of the land known as (name of farm, etc) Wigmore Castle more particularly delineated on the plan accompanying this declaration and thereon edged red.

2. On the (day) 10th day of (month, year) April I (or my predecessor in title (name) JOHN CHARLTON GAUNT) deposited with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that [the ways coloured brown on the said plan and on the plan accompanying this declaration had been dedicated as highways with vehicular status], [the ways coloured green on the said plan and on the plan accompanying this declaration had been dedicated as bridleways]; [the ways coloured purple on the said plan and on the plan accompanying this declaration had been dedicated as footpaths]; [no [other] ways had been dedicated as highways over my property]. coloured blue are PERMISSIVE FOOTPATHS. A Statement Dated 10th April 2001 is Attached.

3. On the (day) day of (month, year) I (or my predecessor in title (name)) deposited with the County of Herefordshire District Council, being the appropriate Council, a statutory declaration dated (day, month, year) stating that no additional ways [other than those marked in the appropriate colour on the plan accompanying this declaration] had been dedicated as [highways with vehicular status] [bridleways] [footpaths] since the deposit of the Statement referred to in 2 above.

4. No additional ways have been dedicated over the land edged red on the plan accompanying this declaration since the statement dated (day, month, year) referred to in 2 above [since the date of the statutory declaration referred to in 3 above] [other than those (highways with vehicular status) (bridleways) (footpaths) marked in the appropriate colour on the plan accompanying this declaration]

* Delete paragraph 3 if submitting Statement and Statutory Declaration, of Section 31(6) Highways Act 1980 at the same time.
** Delete paragraph 4 if this is the first Statement and Statutory Declaration, of Section 31(6) Highways Act 1980.

AND I MAKE this solemn declaration on the (day) 10th April day of (month, year) 2001 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at (address) 48 Broad Street Ludlow Shropshire SY8 1NG

Signature of landowner [Redacted]

Before me [Redacted] (Commissioner for Oaths or a Justice of the Peace or Solicitor)

HEREFORDSHIRE COUNCIL
 ENVIRONMENT DIRECTORATE
 ENGINEERING CENTRAL SUPPORT
 RECEIVED
 - 3 MAY 2001

This information is based on that currently available to the County of Herefordshire District Council from the Definitive map and Statement and other public records. It is given on the strict understanding that neither the Council nor any of its officers will be responsible for the accuracy of this information or accept any liability whatsoever for any error or omission therein for any loss or damage arising from interpretation or use of the information supplied. The inquirer should rely on the results of their own investigation.

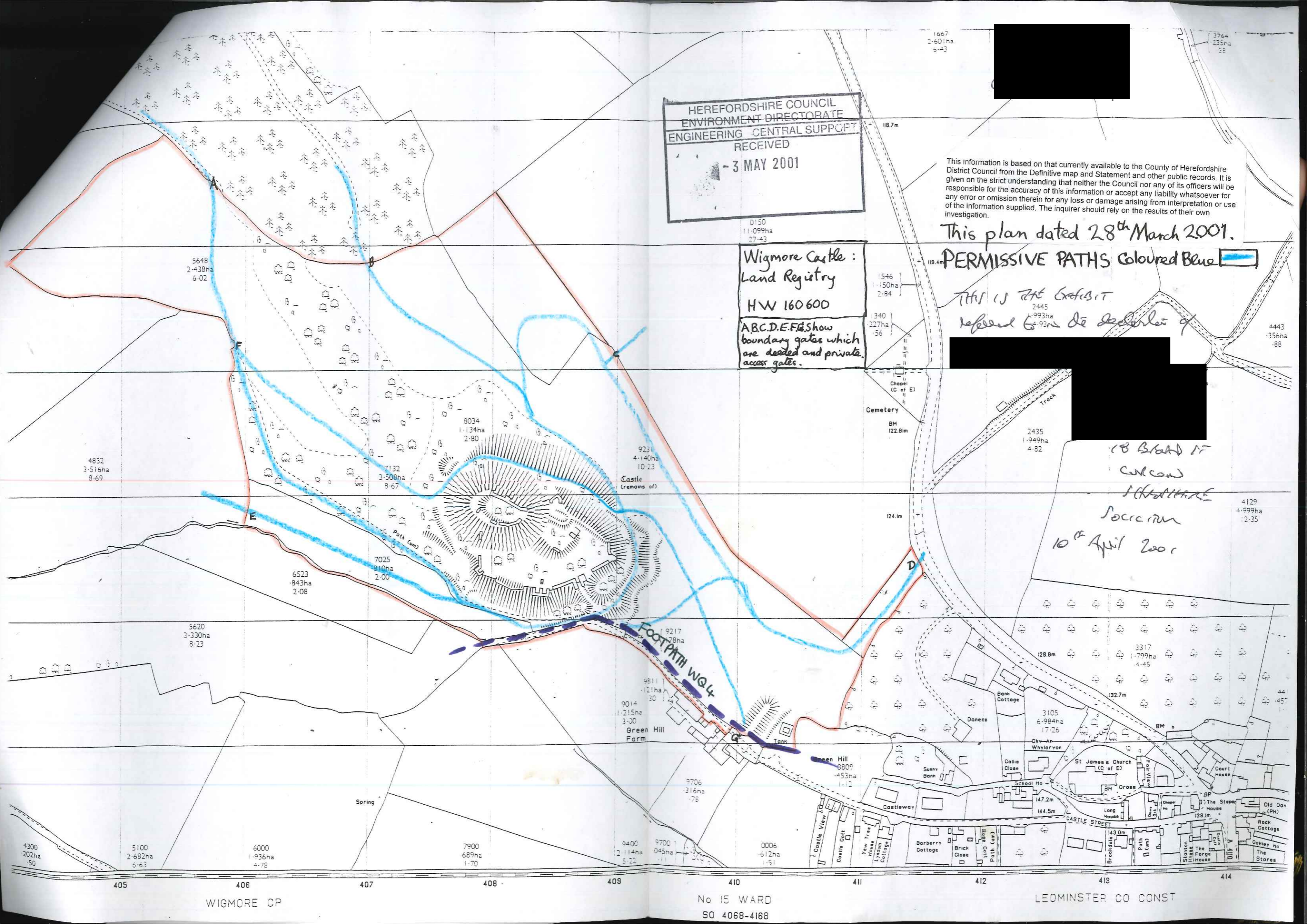
This plan dated 28th March 2001.

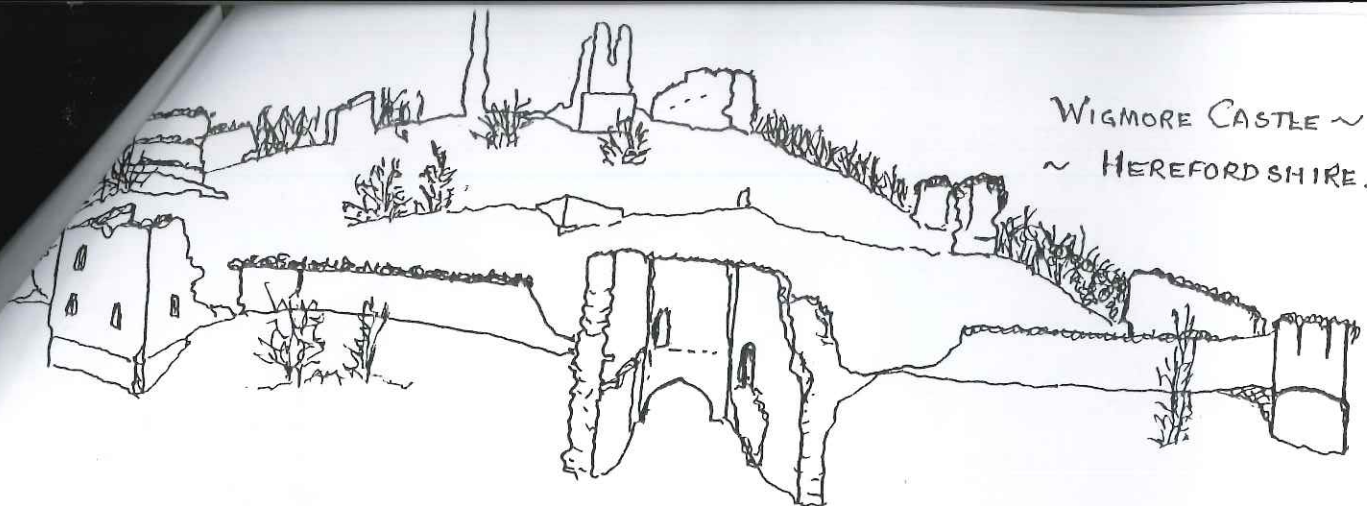
PERMISSIVE PATHS Coloured Blue

Wigmore Castle :
 Land Registry
 HW 160 600
 A.B.C.D.E.F.G. Show
 boundary gates which
 are deaded and private
 access gates.

*This is the Exhibit
 referred to in the order of*

*18 Broad St
 Colcon
 10th April 2001*





WIGMORE CASTLE ~
~ HEREFORDSHIRE.

To ; County of Herefordshire District Council

STATEMENT PURSUANT TO SECTION 31(6) HIGHWAYS ACT 1980

On The 10th day of April 2001 I intend to deposit with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which states that the way~~s~~ coloured purple and named FOOTPATH WQ4 by the Council has been dedicated as a footpath and that no other ways have been dedicated as Public Rights of Way over the property, but routes here shown coloured blue are used by members of the public on foot and sometimes with bicycles since the castle was formerly re-opened on 12th October 1999 (formerly registered with H. & W.C.C. as Permissive Footpaths) but formerly Closed by English Heritage and the Owner whilst contractors occupied the property edged red for three preceding years, the Owner now re-registering the routes coloured blue as Permissive Footpaths.

Signed:



Dated: 10th April 2001

Signed:

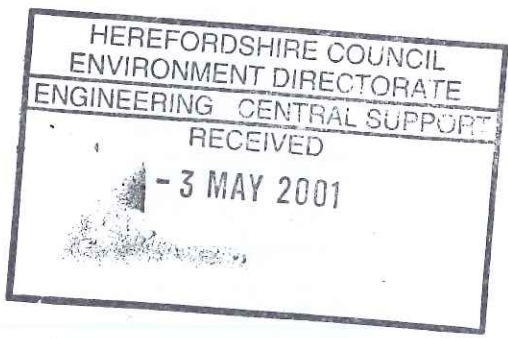
Dated:

This is the EXACT REFERENCE TO THE RECALLATION OF THE COLLECTION CARD.



13 BROAD ST
Worcester
SHERIFFS

Loccitt





HEREFORDSHIRE COUNCIL

HEREFORDSHIRE COUNTY ENVIRONMENT DIRECTORATE ENGINEERING - CENTRAL RECEIVED - 3 MAY 2001

STATUTORY DECLARATION SECTION 31 (6) OF THE HIGHWAYS ACT 1980

I (landowner) JOHN CHALCOT CHANT DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. I am and have been since (day, month, year) 26th January 1993 the owner of the land known as (name of farm, etc) Wigmore Castle more particularly delineated on the plan accompanying this declaration and thereon edged red.

2. On the (day) 16th day of (month, year) March 2001 I (or my predecessor in title (name) [redacted]) deposited with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that ~~[the ways coloured brown on the said plan and on the plan accompanying this declaration had been dedicated as highways with vehicular status], [the ways coloured green on the said plan and on the plan accompanying this declaration had been dedicated as bridleways], [the ways coloured purple on the said plan and on the plan accompanying this declaration had been dedicated as footpaths];~~ no [other] ways had been dedicated as highways over my property]. coloured blue are PERMISSIVE FOOTPATHS.

A STATEMENT DATED 10th APRIL 2001 IS ATTACHED

3. ~~On the (day) day of (month, year) I (or my predecessor in title (name)) deposited with the County of Herefordshire District Council, being the appropriate Council, a statutory declaration dated (day, month, year) stating that no additional ways [other than those marked in the appropriate colour on the plan accompanying this declaration] had been dedicated as [highways with vehicular status] [bridleways] [footpaths] since the deposit of the Statement referred to in 2 above.~~

4. ~~No additional ways have been dedicated over the land edged red on the plan accompanying this declaration since the statement dated (day, month, year) referred to in 2 above [since the date of the statutory declaration referred to in 3 above] [other than those (highways with vehicular status) (bridleways) (footpaths) marked in the appropriate colour on the plan accompanying this declaration]~~

* Delete paragraph 3 if submitting Statement and Statutory Declaration, of Section 31(6) Highways Act 1980 at the same time. ** Delete paragraph 4 if this is the first Statement and Statutory Declaration, of Section 31(6) Highways Act 1980.

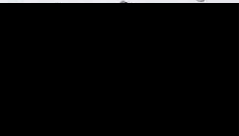
AND I MAKE this solemn declaration on the (day) 10th April day of (month, year) 2001 [redacted] thus believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at (address) [redacted]
13 BRAD ST
COLCHESTER
HEREFORDSHIRE
HR3 7TG

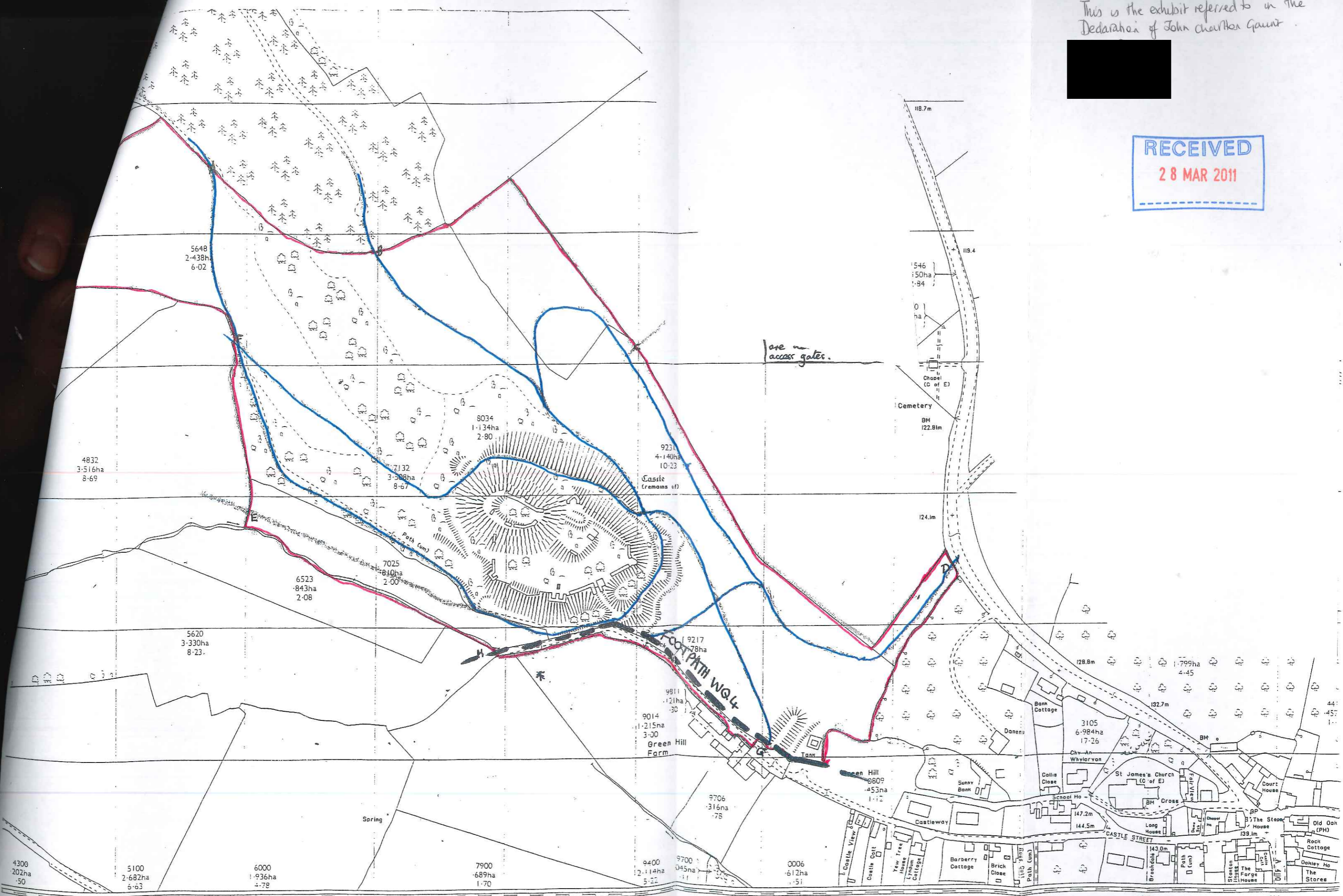
Signature of landowner [redacted]

Before me [redacted]
(Commissioner for Oaths or a Justice of the Peace or Solicitor)

This is the exhibit referred to in the Declaration of John Charles Gaunt



RECEIVED
28 MAR 2011



405 406 407 408 409 410 411 412 413 414

WIGMORE CP

No 15 WARD

LEOMINSTER CO CONST



HEREFORDSHIRE COUNCIL

RECEIVED
28 MAR 2011

STATUTORY DECLARATION
SECTION 31 (6) OF THE HIGHWAYS ACT 1980

I (landowner) JOHN CHARLTON GAUNT DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. I am and have been since (day, month, year) 26th January 1993 the owner of the land known as (name of farm, etc) Wigmore Castle more particularly delineated on the plan accompanying this declaration and thereon edged red.

2. On the (day) 16th day of (month, year) March 2001 I (or my predecessor in title (name)) deposited with the County of Herefordshire District Council, being the appropriate Council, a statement accompanied by a plan delineating my property by red edging which stated that [~~the ways coloured brown on the said plan and on the plan accompanying this declaration had been dedicated as highways with vehicular status~~], [~~the ways coloured green on the said plan and on the plan accompanying this declaration had been dedicated as bridleways~~]; [the ways coloured purple on the said plan and on the plan accompanying this declaration had been dedicated as footpaths]; [~~no~~] [other] ways had been dedicated as highways over my property. coloured blue are PERMISSIVE FOOTPATHS

3.* ~~On the (day) day of (month, year) I (or my predecessor in title (name)) deposited with the County of Herefordshire District Council, being the appropriate Council, a statutory declaration dated (day, month, year) stating that no additional ways [other than those marked in the appropriate colour on the plan accompanying this declaration] had been dedicated as [highways with vehicular status] [bridleways] [footpaths] since the deposit of the Statement referred to in 2 above.~~

4.** ~~No additional ways have been dedicated over the land edged red on the plan accompanying this declaration since the statement dated (day, month, year) referred to in 2 above [since the date of the statutory declaration referred to in 3 above] [other than those (highways with vehicular status) (bridleways) (footpaths) marked in the appropriate colour on the plan accompanying this declaration]~~

* Delete paragraph 3 if submitting Statement and Statutory Declaration, of Section 31(6) Highways Act 1980 at the same time.
** Delete paragraph 4 if this is the first Statement and Statutory Declaration, of Section 31(6) Highways Act 1980.

AND I MAKE this solemn declaration on the (day) 25th day of (month, year) March 2011 conscientiously believing it to be true and by virtue of the Statutory Declarations Act 1835.

Declared at (address) 21 BURGESS STREET
LEOMINSTER
HEREFORDSHIRE
HR6 8DE

Signature of landowner

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