

Highways and Transport Committee

Supplementary Agenda

Date: Thursday, 4th April, 2024
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

Additional evidence submitted following the publication of the agenda pack.

12. **Wildlife & Countryside Act 1981 - Part III, Section 53, Application No. MA/5/256: Application for the Addition of a Public Footpath from the east end of existing Public Footpath No. 6 near Toft Church to join Public Footpath No. 4 in Windmill Wood in the Parish of Toft (Pages 3 - 68)**

To consider an application to amend the Definitive Map and Statement.

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In the matter of Rights of Way Investigation of land at: Toft Church Boundary with Windmill Wood

Statutory Declaration by Shaun Critchley

1. I am [REDACTED]
2. I am also a practicing solicitor of the Supreme Court of England and Wales.
3. [REDACTED]
4. I solemnly and sincerely declare as follows:
5. I make this Statutory Declaration regarding an application for a new right of way from the gate at Toft Church to the intersection with Toft FP4 on Windmill Wood as created on a map by Cheshire East Council shown to me marked 'AP1a' ('Claimed Footpath').

Windmill Wood ("the Woodland")

6. I live at 'Windmill Wood House' ("our home").
7. Our home was bought by my wife, [REDACTED] from Lockwood Homes (Mere) Limited ("Lockwood"). I understand that Lockwood bought this plot from [REDACTED] (M) who had sold them a 'parceled' area of the Woodland. I believe this is referred to in detail in the first Statutory Declaration of [REDACTED], dated 2 January 2024.
8. Our home is a house plus approximately five acres of Woodland. This is marked in blue on document 'AP2'.
9. Our home adjoins the Woodland.

Ownership of the Woodland

10. On 23 August 2023, the Woodland was sold at auction by the previous owners, [REDACTED] to Windmill Wood Limited ("WWL") which is company ultimately owned/controlled by myself and my wife, Julie.
11. As earlier stated, I am a Director of WWL.

Reasons for this Statutory Declaration

12. I acknowledge that I am unable to 'add' anything regarding the use of the Woodland for the period 1998 to 2018. I am however, able to corroborate evidence supplied by witnesses regarding the signage in the Woodland, and address thefts, vandalism, threats and anti-social behaviour of a significant minority of the General Public on the Woodland.
13. In addition, I will address the conduct of Cheshire East Council when conducting this rights of way application.

Buying the Woodland

14. When the Woodland was put up for sale by the previous owners (by way of auction) in the summer of 2003, numerous purchasers were interested including entities keen to acquire the Woodland for commercial purposes.
15. In advance of the auction, I was contacted by the local parish council– Ollerton with Marthall ("OwM") – and was asked to purchase the Woodland. The Parish Councilor acting on OwM's behalf was [REDACTED] whose own home is near to the Woodland.
16. I was initially reluctant to do so, understanding the onerous responsibilities of owning and maintaining a large parcel of woodland. I was encouraged to do so by OwM, who were very concerned about commercial development of the Woodland by a third party purchaser.
17. I made it clear to OwM that I was only prepared to facilitate purchase of the Woodland and all of the necessary investment in it on the basis that it remained private land and the proprietary rights could be protected accordingly. That was well understood and agreed by OwM.
18. WWL was then incorporated and was successful in acquiring the Woodland. OwM's public statement made clear its support for our client and its proposed investment in the Woodland: Windmill Wood saved from development – Ollerton with Marthall Parish Council
19. Since the acquisition, WWL has invested considerable funds in plans to preserve and regenerate the Woodland as a site of complex but significant environmental importance.
20. Amongst our plans are revitalisation of the wetland area, coppicing, planting and pasture, as well as planned occasional access for wildlife watchers, schools, scouts, Girl Guides and other community groups.
21. Regrettably, the acquisition of the Woodland has proven (for no good reason) controversial.

Trespasses, Threats, Vandalism and Anti Social Behaviour

22. Prior to purchasing the Woodland, [REDACTED] asked us to tell people to leave the Woodland if we saw anyone trespassing on his land. We agreed.
23. Unfortunately, there were numerous trespasses on the Woodland. When either my wife or myself asked people to leave the Woodland This was generally met with abuse or excuses. The trespasses would ignore requests to leave and would continue to trespass and return on subsequent days.
24. Upon WWL purchasing the Woodland myself and my wife [REDACTED] spent a large amount of time on the Woodland and repeatedly asked people to leave the land.
25. We were repeatedly abused, threatened and had dogs set upon us.
26. We were told by trespasses that there was nothing that could be done to remove them as trespassing was a civil offence and that if we tried to get them off the land they would claim 'assault'.
27. When people did leave the land they would simply return.
28. We initially purchased 20 signs on 23 October 2023 to put around the Woodland.

Attached marked "SC1" is a copy of an order regarding the aforementioned signs.
29. The majority of signs were erected at the top end of the Woodland by the area of the Claimed Footpath. Most were destroyed, vandalised or stolen.

As an example I have attached marked "SC2" is a photograph of a 'new' sign damaged in the Woodland. This type of vandalism has occurred throughout the Woodland. You can also see an 'old' sign that was damaged days before (as a result of the start of fencing being erected).
30. We therefore ordered another 20 signs on 15 January 2024.

Attached marked "SC3" is a copy of an order regarding the aforementioned signs.
31. In autumn 2023 we decided that we would have no alternative to erect a fence stopping trespasses. Understanding the history of vandalism of previous fences erected upon the land and neighbouring landowners, we decided that the only way to truly protect the land was to erect vandal proof metal fencing (as opposed to 'stock' fencing).
32. As soon as the fencing was erected, we received threats personally and on social media. Some were death threats. Before the area was secure, and as result of the work on the fence, a workman's hut was broken into and vandalized.
33. Workmen have also been threatened.

34. We were told (as were workmen) that as soon as the Woodland fencing was finished that it would be damaged/torn down. Within hours of the work being completed, a section of the fencing was torn down, damaged and posts stolen. See photograph "SC2"
35. Given the nature of fencing, it would have taken a team of people to do this.
36. Thereafter, we put up temporary wooden fencing, but this has been vandalised several times.
37. Whilst repairing the fence recently, a member of the public threatened me and told me not to go out locally in Knutsford as I was a wanted man.
38. In addition there have been sinister 'WANTED' posters put up around Woodland and locally with face on it.

Attached and marked "SC4" is a copy of a poster.
39. I will shortly be going to the police with a file containing appropriate evidence in relation to these matters.
40. The people trespassing, making the threats and carrying out this vandalism are not the disadvantaged in life. They are affluent middle class people who are 'entitled' and feel that they have a right to do what they want.
41. All of my experiences reflect the experiences of previous owners of the Woodland. Andrew Panayi and his wife set this out clearly in their first Statutory Declarations and indeed similar experiences referred to and accepted factually in the Inspectorate's report after the Public Inquiry ('Report') referred to and attached to [REDACTED] first Statutory Declaration.

Cheshire East's Consultant's Report

42. Cheshire East Council appointed an external consultancy, Birchill Access Consultancy ("Birchill") to investigate this PROW application and provide a report as to its merits. As a Director of WWL who are the current owner of the Woodland, I was rightly notified by 'Birchill' of their appointment and to make representations regarding the application.
43. On 13 October 2023 I sent an email to [REDACTED] of Birchill to request copies of the 16 Witness Statements and any other evidence submitted. On a subsequent telephone conversation with [REDACTED] I was informed that I would not be provided with any evidence as I was not entitled to it. She did ultimately send me an email with a spreadsheet illustrating a user profile.

Attached marked 'SC5' are emails that reflect the above.

44. I also notified [REDACTED] of Birchill that [REDACTED] of OwM would provide a witness statement to her to confirm that [REDACTED] took active steps to protect and deter people from trespassing on his land. I promised to provide Simon's contact details so she could speak to him.

Attached marked 'SC6' is a copy of the email I sent to [REDACTED] of Birchill.

45. Despite the provision of [REDACTED] details, he was **NOT** contacted nor was there any mention of him in Birchill's final report.

46. As a result of threats made to my family, [REDACTED] has confirmed that he will not assist in providing a statement as he fears for the safety of his family.

I declare that the content of this Statutory Declaration is true.

Signed: [REDACTED]

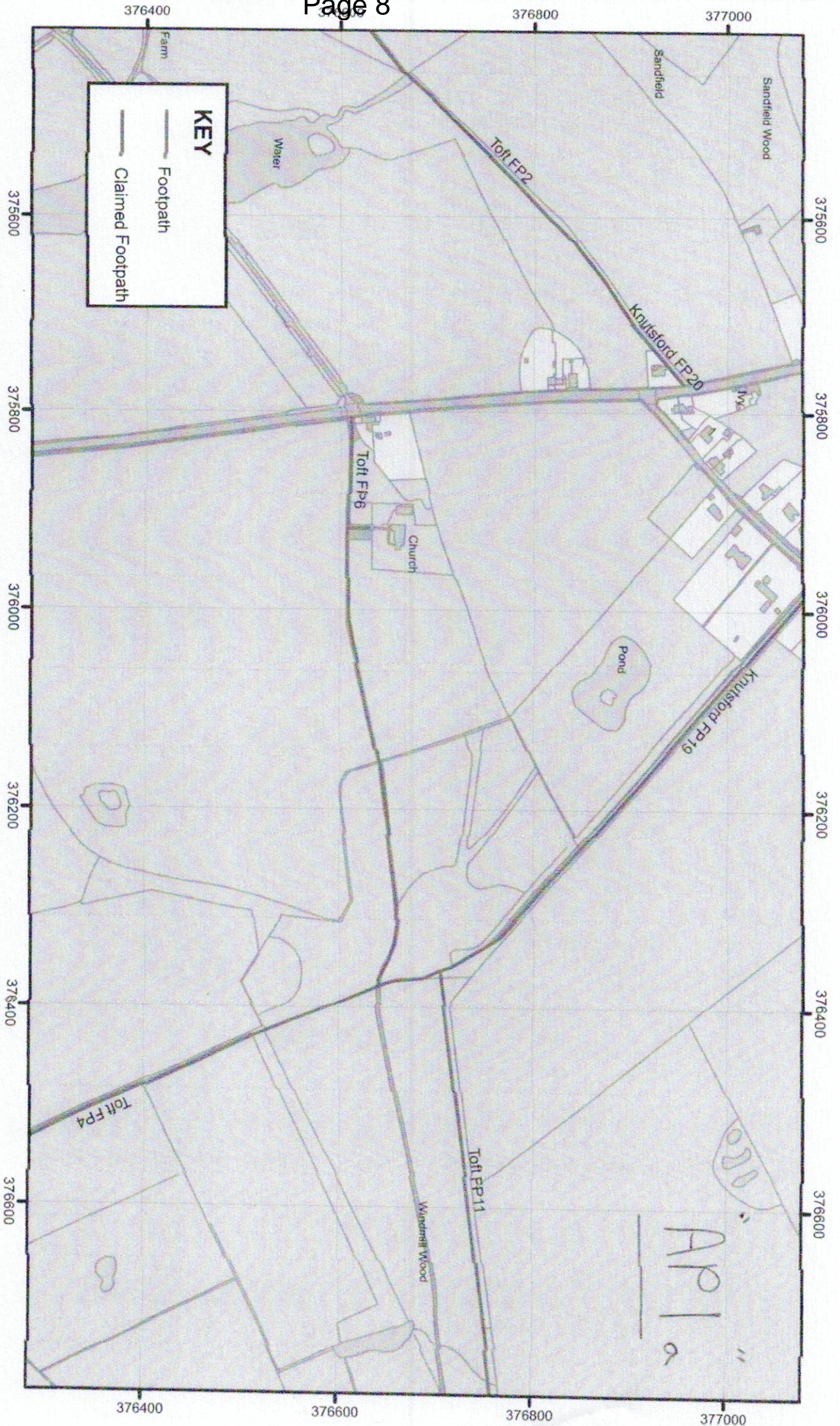
Declared before me, a solicitor, or
person authorised by law to take oaths
this 27th day of March 2024

at

Address of solicitor

[REDACTED]
PRIMAS LAW LIMITED

TOWER 12
SPRINGFIELD
MANCHESTER



**Claimed Footpath from Toft FP 4, Toft Church to
Toft FP 6, Windmill Wood, Toft**

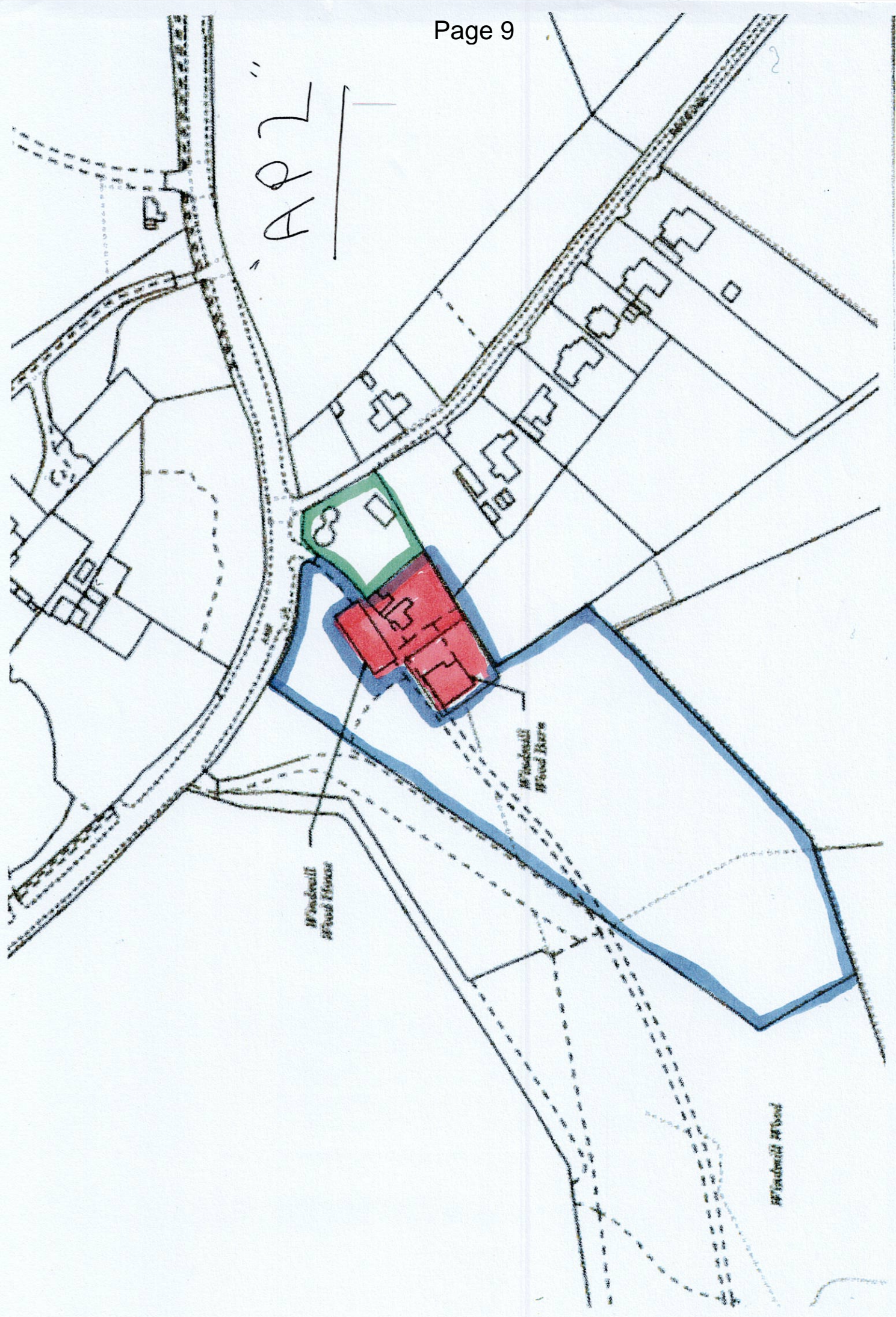


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This is a working copy of the definitive map and should not be used for legal purposes



"APL"



"SCI"

[Redacted]

From: [Redacted]
Sent: 27 March 2024 16:26
To: [Redacted]
Subject: Fwd: Your order confirmation from The Sign Shed

Sent from my iPad

Begin forwarded message:

From: The Sign Shed <sales@thesignshed.co.uk>
Date: 23 October 2023 at 13:19:25 BST
To: [Redacted]
Subject: Your order confirmation from The Sign Shed



ORDER SHED759934

Thank you for your purchase!

Hi [Redacted] we're getting your order ready to be dispatched*. We will notify you when it has been sent.

If you selected to "Pay by Purchase order (pro-forma)", your order will be dispatched once payment has been received. For Sign Shed Account holders, schools, NHS, charities and local government bodies, your order will be dispatched within one working day.*

Your PDF invoice receipt will be generated and available to download in the email you'll receive, when your order is dispatched.

* Subject to artwork approval for custom signs requiring a proof

[View your order](#)

or [Visit our store](#)

Order summary

	Private Woodland No Public Access Or Right Of Way Sign × 10 400 x 300 mm / 3mm Recycled Plastic SF5PE18F (-£10.90)	£109.20 £98.30
	Private Woods No Public Right Of Way Sign × 10 400 x 300 mm / 3mm Recycled Plastic / Red SF5PE18F (-£10.90)	£109.20 £98.30
Subtotal		£196.60
Shipping		£0.00
GB VAT		£32.76
Total		£196.60 GBP
		You saved £21.80

Customer information

Shipping address

[Redacted shipping address]

Billing address

[Redacted billing address]


United Kingdom


United Kingdom

Shipping method

FREE DPD (1-2 days, order by 2.30pm weekdays, Mon-Fri delivery, EXCLUDES Scottish Highlands & Islands, IoW, IoM, NI)

Payment method

 Payment method

If you have any questions, reply to this email or contact us at sales@thesignshed.co.uk

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



SC3

[Redacted]

From: [Redacted]
Sent: 27 March 2024 16:26
To: [Redacted]
Subject: Fwd: Your order confirmation from The Sign Shed

Sent from my iPad

Begin forwarded message:

From: The Sign Shed <sales@thesignshed.co.uk>
Date: 15 January 2024 at 17:14:16 GMT
To: [Redacted]
Subject: Your order confirmation from The Sign Shed



ORDER SHED763191

Thank you for your purchase!

Hi [Redacted] we're getting your order ready to be dispatched*. We will notify you when it has been sent.

If you selected to "Pay by Purchase order (pro-forma)", your order will be dispatched once payment has been received. For Sign Shed Account holders, schools, NHS, charities and local government bodies, your order will be dispatched within one working day.*



Your PDF invoice receipt will be generated and available to download in the email you'll receive, when your order is dispatched.

* Subject to artwork approval for custom signs requiring a proof

[View your order](#)

or [Visit our store](#)

Order summary

	Private Land No Public Access Or Right Of Way Sign × 10	£75.60 £68.02
	A4 (297 x 210 mm) / 1mm Rigid Plastic / Red AW5SAA6K (-£7.58)	
	Private Woodland No Public Access Or Right Of Way Sign × 10	£125.00 £112.48
	A4 (297 x 210 mm) / 3mm Composite Aluminium AW5SAA6K (-£12.52)	
Subtotal		£180.50
Shipping		£0.00
GB VAT		£30.09
Total		£180.50 GBP
		You saved £20.10

Customer information

Shipping address

██████████
██████████

Billing address

██████████
██████████



United Kingdom



United Kingdom

Shipping method

FREE DPD (1-2 days, order by 2.30pm weekdays, Mon-Fri delivery, EXCLUDES Scottish Highlands & Islands, IoW, IoM, NI)

Payment method

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If you have any questions, reply to this email or contact us at sales@thesignshed.co.uk

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"SCS"

>
> On 13/10/2023, 13:32, [REDACTED]
> [REDACTED]"
> [REDACTED]
> [REDACTED] > wrote:
>
>
> H [REDACTED]
>
>
> I left a voicemail on your mobile yesterday but understand that you may
> be busy.
>
>
> Can you let me know when you will next be free to chat (i'm free other
> than Monday as i'm engaged all day)?
>
>
> In the meantime can you let me have a copy of the application, the 16
> witness statements to review and any other evidence submitted to date
> so
> that i can review and respond accordingly?
>
>
> regards
>
>
> [REDACTED]
>

"SC6"

----- Original Message -----

Subject: Re: Windmill Wood summary notes from 9th Nov

Date: 2023-11-30 09:09

From: [REDACTED]

To: Birchill Access Consultancy Ltd [REDACTED]

H [REDACTED]

thanks for the email. i'll review the document and get back to you shortly.

[REDACTED] is 'stretched' at the moment [REDACTED]
[REDACTED]
[REDACTED]

I'm currently going through some docs provided (and i'll be provided with some more next week when [REDACTED] has a break and returns home). thereafter i'll be working the woodland with [REDACTED]

I aim to get signed Stat Decs to you within the next 3 weeks.

In addition, can you contact a local parish Councilor who is also a neighbour? His name is [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] HOWEVER, he can/will say that they defended their land to the hilt and deterred trespassers. i think were they disagreed is the way they went about it.

[REDACTED]. he is aware of me passing details on to you and will be expecting your call [REDACTED]
[REDACTED]

regards

[REDACTED]

In the matter of Rights of Way Investigation of land at: Toft Church Boundary with Windmill Wood

Statutory Declaration by Redacted (Second)

1. I am Redacted and I live at Redacted with my wife, Redacted
2. My date of birth is Redacted
3. I solemnly and sincerely declare as follows:
4. I make this Statutory Declaration regarding an application for a new right of way from the gate at Toft Church to the intersection with Toft FP4 on Windmill Wood (**'the Woodland'**) as created on a map by Cheshire East Council shown to me marked **'AP1a'** (**'Claimed Footpath'**). Note the Woodland covers the area marked **'B'** to **'C'**.

Previous Statutory Declaration

5. I make this Statutory Declaration to supplement my first Statutory Declaration dated 2 January 2024.

No Personal, Economic or Legal Interest

6. As stated in my first Statutory Declaration, it is important to note that I have no personal, economic, or legal interest in any of the Woodland. I do not have to make this Statutory Declaration *but* am simply doing this as it is legally and morally the right thing to do.

Maps Showing Location of Signage

7. I will set out in this section of my Statutory Declaration where signs:
 - i. are currently located in the Woodland (and have been so at some point covering the period 1998-2018); and
 - ii. where they have previously been (1998-2018) before they were stolen/vandalised.
8. For ease of use/reference, I have split the Woodland into two parts;
 - the **'bottom end'** of the Woodland below Toft FP4 which commences at Chelford Road (**"Chelford End"**); and

- the 'top end' which contains the disputed 'claimed footpath' – including the boundary above Toft FP4 (including Toft FP4 and both sides 'hugging' the boundary) and inclusive of Knutsford FP19 (and both sides 'hugging' the boundary) ("**Toft End**").

Chelford End

9. Attached, marked "AP.Chel.1" is a map showing where signs are **currently** placed and **have been in situ since at least 2018**.
10. For clarity, signs are numbered numerically and Cheshire East Public Footpath Yellow Discs ("**Yellow Discs**") are denoted by "Y1", "Y2" etc
11. Attached, marked "AP.Chel.photo.1" are photographs of the actual signs and yellow discs which correspond to the locations indicated in AP.Chel.1.
12. Attached, marked "AP.Chel.2" is a map showing where signs have been erected in the period 1998 – 2018 which were destroyed/stolen/vandalised.

Toft End

13. Attached, marked "AP.Toft.1" is a map showing where signs are **currently** placed and **have been in situ since at least 2018**.
14. For clarity, signs are numbered numerically and yellow discs are denoted by "Y1", "Y2" etc.
15. Attached, marked "AP.Toft.photo.1" are photographs of the actual signs and yellow discs which correspond to the locations indicated in AP.Toft.1
16. Attached, marked "AP.Toft.2" is a map showing where signs have been erected in the period 1998 – 2018 which were destroyed/stolen/vandalised.

Signs 1 and 4

17. I can date two of the signs currently in situ in the Toft End of the Woodland (Signs '1' and '4') have been in situ since 1994 given earlier evidence submitted by my wife, **Redacted**
18. In my wife's Statutory Declaration dated 2 January 2024, she 'exhibits' an article from the Knutsford Guardian dated 2 November 1994, in which she refers to signage being put up around the Woodland, much to the dismay of local dog walkers (who were trespasses). In the newspaper article is a picture of a sign that had been erected throughout the Woodland. We bought a considerable number of these 'one off' signs at the time and did not purchase any signs which were identical to these.
19. Accordingly, on the Map referred to above, I can state that the signs numbered '1' and '4' date back to 1994.

Locations of Signs along Claimed Footpath

20. On map, marked "AP.Toft.2" is numbered, '4', '5' and '6' which were the locations where signs have previously been in situ on the claimed footpath but have been stolen or vandalised.
21. In my first Statutory Declaration I referred at paragraph 35 to my proof of evidence at the Public Inquiry whereby I referred at the top of page 5 to the erection of 'Steel Signs'. The signs referred to at paragraph 20 above were some of those signs.
22. The remaining 'steel signs' were located at '3' on AP.Toft.2 and '1', '2' and '3' on AP.Chel.2.

Types of Signage

23. To reiterate my comments in my first Statutory Declaration, over time we used different signage throughout the Woodland.
24. Vandalism/theft of signage was worse 'away' from the established rights of way.
25. I tendered to use more homemade signs for signage that needed to be replaced more often, which invariably related to the positions of the established rights of way. This can be seen and is illustrated by photographs '1a' and '1b' in exhibit "AP.Chel.photo.1"

Consultation/Liaising With Cheshire East Council Footpath Section

26. Throughout my ownership of the Woodland I liaised with Cheshire East Council foot path section with regards directional 'poles', signage indicating to the public the rights of way and the installation of 'kissing gates' (to deter people using bicycles and horses).
27. I can recall that I extensively dealt with a gentleman called **Redacted** who visited the Woodland to walk around with me on several occasions.
28. On these meetings, I would make it clear that the woodland was private and had no intention of allowing the trespassers to use the wood. During this walk I pointed out the signs in situ at the time.
29. Throughout this time Cheshire East provided/agreed to:
 - directional poles - see AP. Chel.1/AP.Chel.photo.1 (marked YY1) and AP.Toft.1/AP.Toft.photo.1 (marked YY2-YY3);
 - kissing gate at Seven Sisters End of Toft FP4 - see AP.Toft.1/AP.Toft.photo.1 (marked YY3/Y7 and Y8);

- Yellow indication discs which are used put onto trees as indicators/guidance for public footpaths – see AP.Chel.1/AP.Chel.photo.1 (marked Y1-Y8) and AP.Toft.1/AP.Toft.photo.1 (marked Y1-Y8)
30. With regards the yellow discs indicated on AP.Chel.1 and AP.Toft.1 (and corresponding photographs) I can't be 100% sure when these actual discs where put on the trees. It was certainly some years ago. Yellow discs have been on the trees throughout the period 1998 – 2018. I would have to replace stolen/vandalised discs from time to time. On each occasion I would contact Cheshire East Council and they would send me additional yellow discs.
31. It defies common sense that I would have the meetings, put the rights of way 'poles', kissing gate and yellow discs on my land (including replacements) if I wasn't determined to protect my land and keep the public to their permitted legal routes.

Fencing and Pictures

32. I am aware that I could be criticised for not taking pictures of the erected signs during the claimed period or for failing to put up fencing to deter trespasses.
33. However, hindsight is a wonderful thing and fails to take into numerous nuanced points.
34. *With regards pictures, I had no idea that it would be advantageous to take a pictorial record of the signs erected. Why would I? I put signs up to deter people. I was not aware of some of the legal niceties.*
35. Today, cameras on phones were not a standard feature and not an everyday tool of life. It is only in recent years that they have become the norm. I am also **Re** years of age and am not an early adopter of technology.
36. With regards erecting fencing to keep trespasses out, fencing adjoining the wood owned by farmers/land owners (whether stock or wire) were constantly vandalized. Trespasses simply climbed over/vandalized in any event.
37. This is what would have happened if I erected fencing myself. The initial cost would have been prohibitive, and in any event would have to be continually repaired (at further cost). It just made no commercial or practical sense to do so.
38. It is only in recent years that fencing has become more robust in the form of steel 'anti vandal fencing'. However, its cost is extortionate. I understand the cost to the current owners of installing anti vandal fencing was approximately **Redacte** I would not have been able to afford this cost at any time in any event.

Gate – Windmill Wood adjoining land to Toft Church

- 39. As stated at paragraph 39 in my first Statutory Declaration, I would regularly close the gate when I was in that area of the Woodland.
- 40. It is difficult to state with certainty how often this would be. I suppose the best way to answer this would be to state that it all depends on how often I was in that area of the Woodland. Obviously, it would depend on what management/work I was carrying out on that part of the Woodland.
- 41. If I was there regularly then it would be more often, but at the same time, if I was working there for a sustained period on a 'project' then people would be aware of my presence and keep away.
- 42. It needs to be noted that the Gate was in existence way before I bought the Woodland. From Chelford Road to the Gate, this area was a service road/path. The gate was at the end of this and thus, its purpose was to allow access to/from the adjoining land. It worked for me as I would access the land adjoining when carrying out work from time to time. Thus, there was no reason to 'board up' that area until it was 'closed' by the Toft Estate in 2018.

Statutory Declarations of Redacted

- 43. I have read the Statutory Declarations of Redacted and can confirm their accuracy in so far as they relate to all things relating to/regarding the Woodland.

I declare that the content of this Statutory Declaration is true.

Signed: Redacted

Redacted

Declared before me, a solicitor, or person authorised by law to take oaths

Redacted

this 2nd day April of 2024

Solicitor

at *NORTHWICH, CHESHIRE*

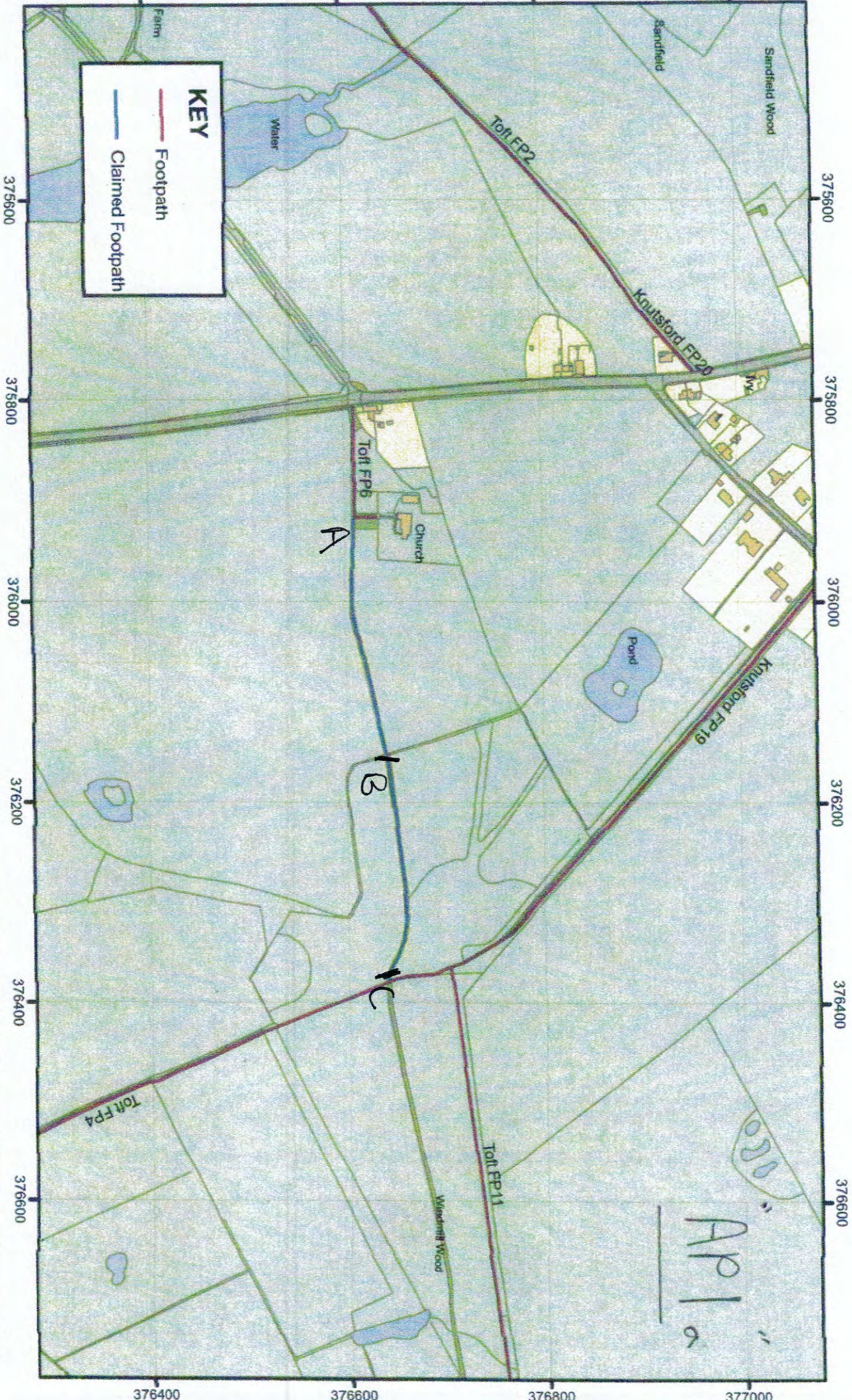
Address of solicitor

<p>Mosshaselhurst SOLICITORS 2 Castle Street, Northwich Cheshire CW8 1AB TEL 01606 74301</p>
--

376400

376800

377000



KEY

- Footpath
- Claimed Footpath

Claimed Footpath from Toft FP 4, Toft Church to Toft FP 6, Windmill Wood, Toft

1:5,000



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This is a working copy of the definitive map and should not be used for legal purposes



376400

376600

376800

377000

375600

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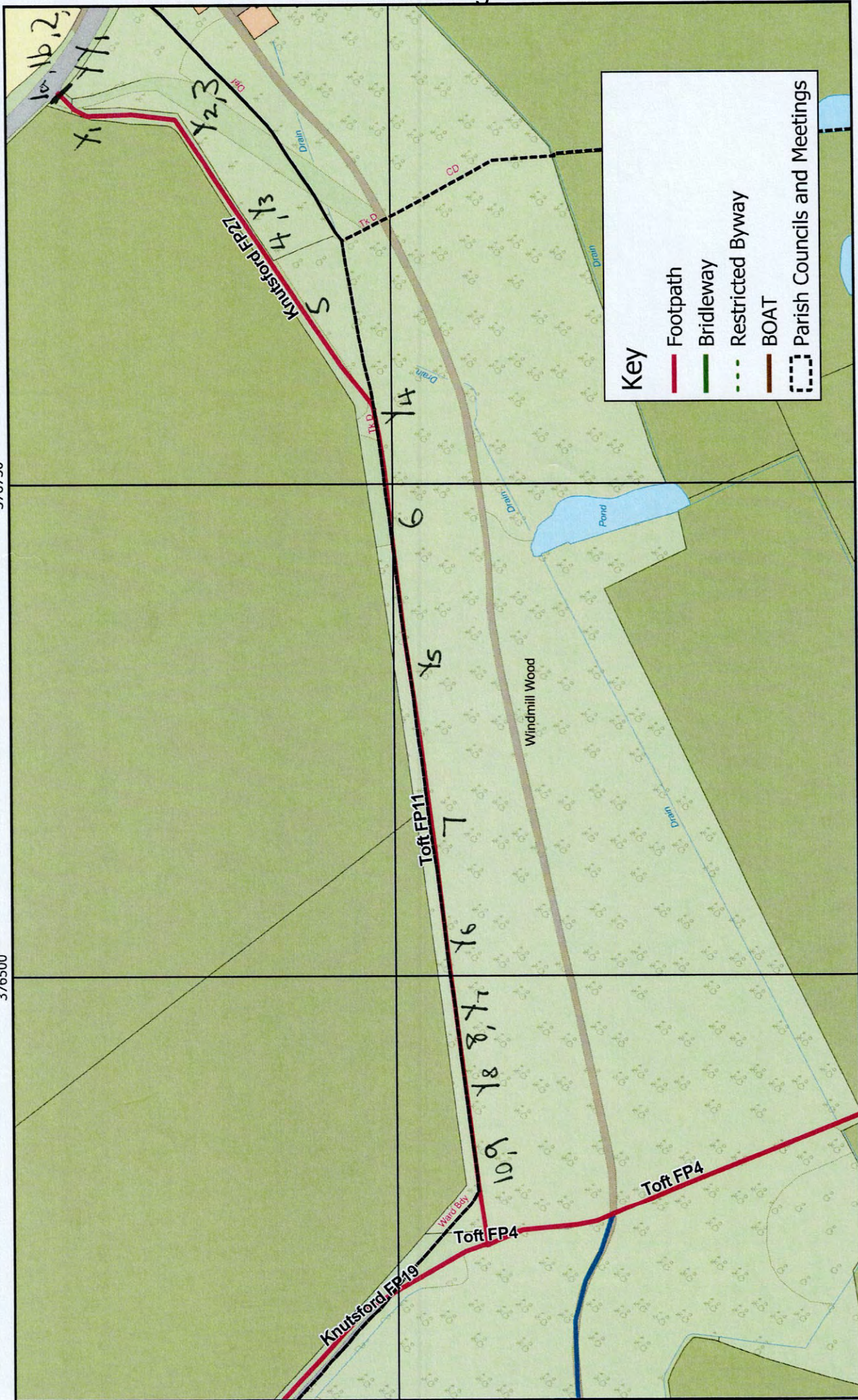
AP 16

"AR. Chel. 1"

376750

376500

376750



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376750

376500

Toft FP11 & Knutsford FP 27



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" AP . Chem. Photo. 1 "

2011
10/10/11
6



10.06.11
11.06.11
11.06.11
11.06.11



"A. 6. 6. 1."
"Photo. 1."
"2"



" AP. Uebel
photo. 1 "
" Y' "



"Dr. Choi"
"photo. 1"
"Yr"



"No. (hel).
photo. 1"

"3"



10/11/10
"A" 10/11/10

"Y"
3



1000
1000
1000

4



"A. Wood."
Photo 1
"S"



"Al. Ubel.
photo. 1"
"Y¹⁴"



10/10/10
10/10/10
10/10/10



"Al. Oak."
"photo. 1"
"Ys



Handwritten notes in Japanese characters, including "高木" (Takaiki) and "林" (Rin).



"Ap. Chol.
photo. 1"

" " Y6



101.
No. 101
101

" 8 & " Yr



"Al. Chad."
"Photo. 1"

"Y8"



"Ap. Chel.
photo. 1"

"9"



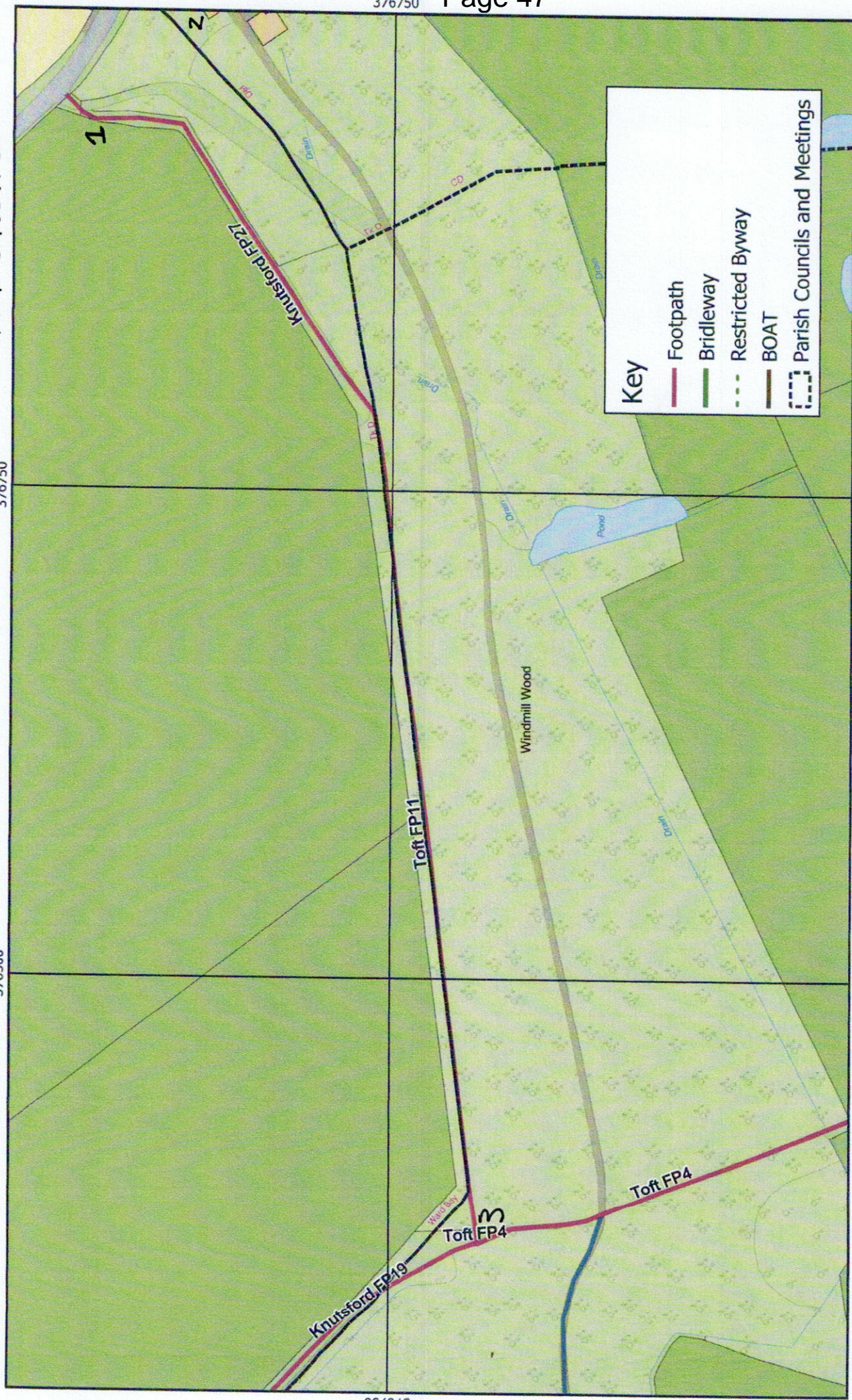
"Ar. Chel
photo. 1"

"10"



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"AP. Chel. 2"



Key

- Footpath
- Bridleway
- - - Restricted Byway
- BOAT
- Parish Councils and Meetings



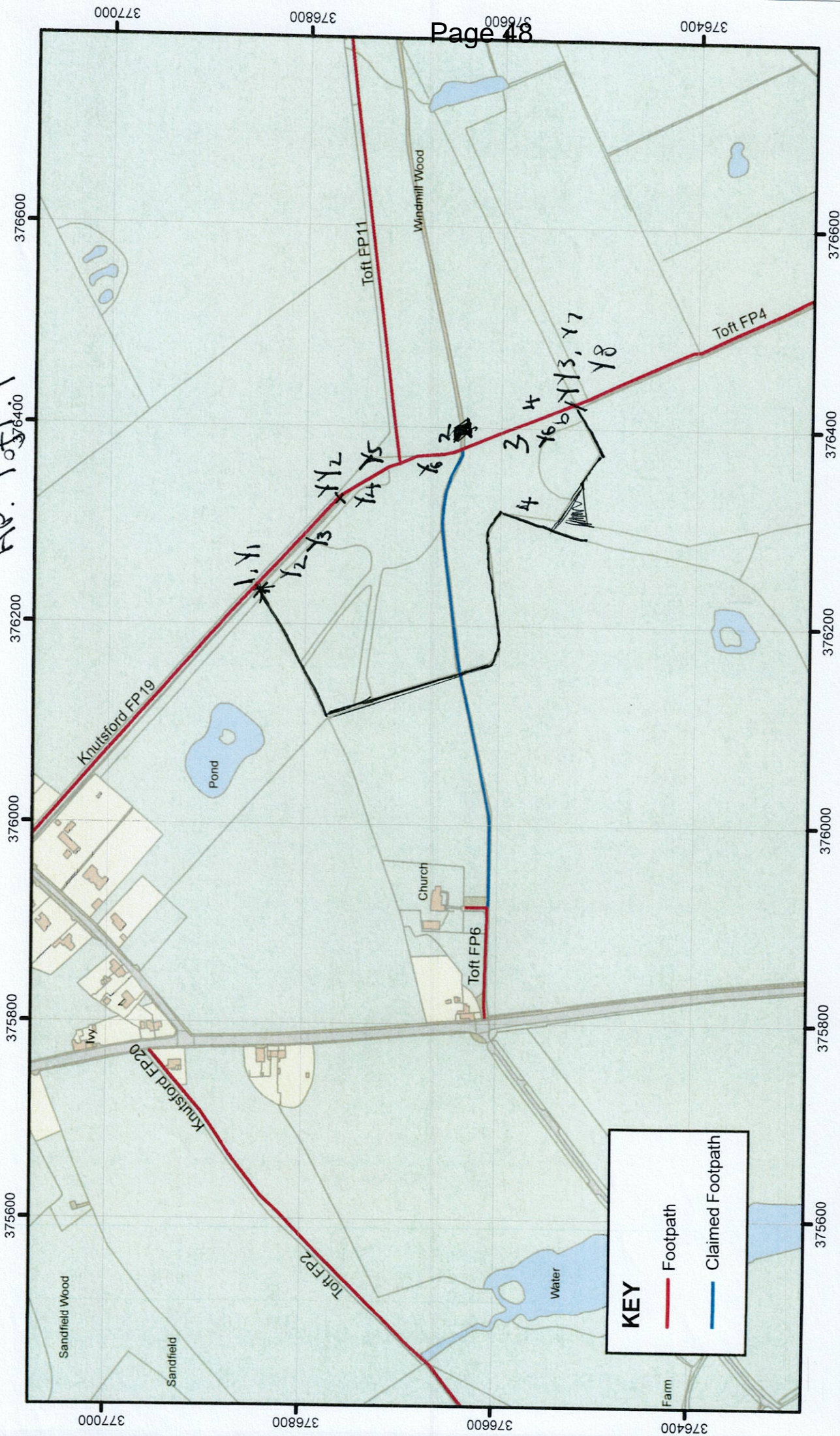
This is a working copy of the definitive map and should not be used for legal purposes

Toft FP11 & Knutsford FP 27



1:2500

"AR. Toft 1"



KEY

- Footpath
- Claimed Footpath



1:5,000

Claimed Footpath from Toft FP 4, Toft Church to Toft FP 6, Windmill Wood, Toft

This is a working copy of the definitive map and should not be used for legal purposes



AP. T. ft. photo. 1"



"
D.B.H.
Photo. 1"
" "
" "



"Y"

Dr. J.H.
photo. 1"



Y₃"

"MS. T.H.
Photo. 1"



"Dr. T.H.
Photo. 1"
"Y2"



"AR. 14"
Photo 1
" Ya "



"No. 111"
Photo. 1"
"Ys"



"
" NORTH "
Plot. 1
" Y6 "
"

2011
11-11





"
" APITH
" photo. 1
" X66
"



KEEP TO PUBLIC FOOTPATH
SHOOTING IN PROGRESS

"HP. T.H.
photo. 1"
3"



"
N.I.H.
photo. 1
"
"
4
"



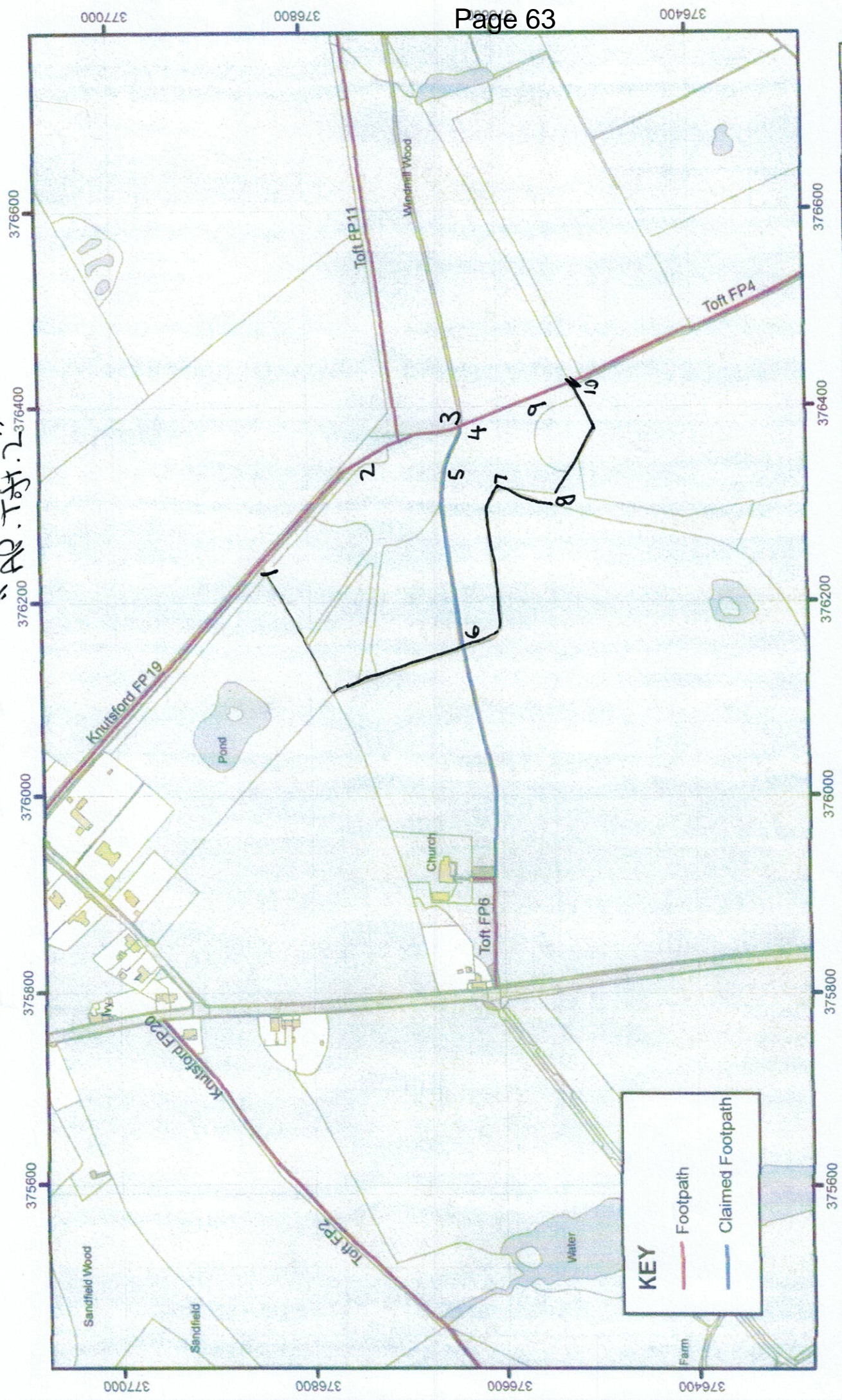
"No. 1"
"No. 2"
"Y13"
"&"
"Y7"



"Y8"

"D.P.T.H. photo 1"

"AR. Toft 2"



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1:5,000

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In the matter of Rights of Way Investigation of land at: Toft Church Boundary with Windmill Wood

Statutory Declaration by [REDACTED]

1. I am [REDACTED] and I live at [REDACTED]
2. My date of birth is [REDACTED]
3. I solemnly and sincerely declare as follows:
4. I make this Statutory Declaration regarding an application for a new right of way from the gate at Toft Church to the intersection with Toft FP4 on Windmill Wood as created on a map by Cheshire East Council shown to me marked 'AP1a' ('Claimed Footpath')

Background

5. I was born in Knutsford and have lived the majority of my life in the Knutsford area.
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]

Trespasses on Windmill Wood

9. I know [REDACTED] the previous owner of Windmill Wood ('the Woodland'). He kindly allowed the Scouts the use of the Woodland throughout the period of 1998 to 2018.
10. The Scouts regularly used the area on the 'top' part of the Woodland ('i.e. 'above' Toft FP4 and Knutsford FP19 – which included the Claimed footpath).
11. I can state with certainty and experience that throughout the 20 year period leading up to around 2015 there was a sign on a tree by the gate on the Windmill Wood side of the 'border'. The sign faced the gate which borders Toft Church.
12. I can't recall the exact wording of the sign (it changed from time to time) but it was in terms that the wood was private land and that trespasses should keep out.
13. The sign was repeatedly stolen/damaged and replaced constantly over the years. It took different forms in its appearance, look and material but was often 'home made'.

14. In the period 1998 to 2018 I occasionally witnessed Mr Panayi constantly asking people to leave the land (i.e. on and around) the Claimed Footpath. I can also confirm that I regularly met with [REDACTED] throughout this period in the Woodlands.
15. In addition, [REDACTED] would ask me that whenever I saw anyone trespassing that I should ask them kindly to leave the land, which I did.
16. [REDACTED] was extremely protective of his land and always took steps to protect it from trespasses.

Commercial Activities on Woodland

17. From around 1995 for about 10 years or so there was paintballing activity on the Woodland carried out by a third party company engaged by [REDACTED]. Although most of the time this took place in the 'main' part of the Woodland (i.e., 'below' Toft FP4), it regularly took place in the 'top' area of the Woodland i.e., 'above' Toft FP4/Knutsford FP19 and on where the Claimed Footpath regularly from approximately 1996 to 2004. With regards the paintball company, given the dangerous nature of this activity, this necessitated the use of Marshalls to keep the Woodland free of trespasses.

Capacity in which I make this Statutory Declaration

18. It is important to note that I make this Statutory Declaration in my personal capacity and is in no way connected with the Scout Movement.
19. In addition, I can confirm that I have no personal, economic, or legal interest in any of the Woodland. I do not have to make this Statutory Declaration but am simply doing this as it is legally and morally the right thing to do.

I declare that the content of this Statutory Declaration is true.

Signed: ...

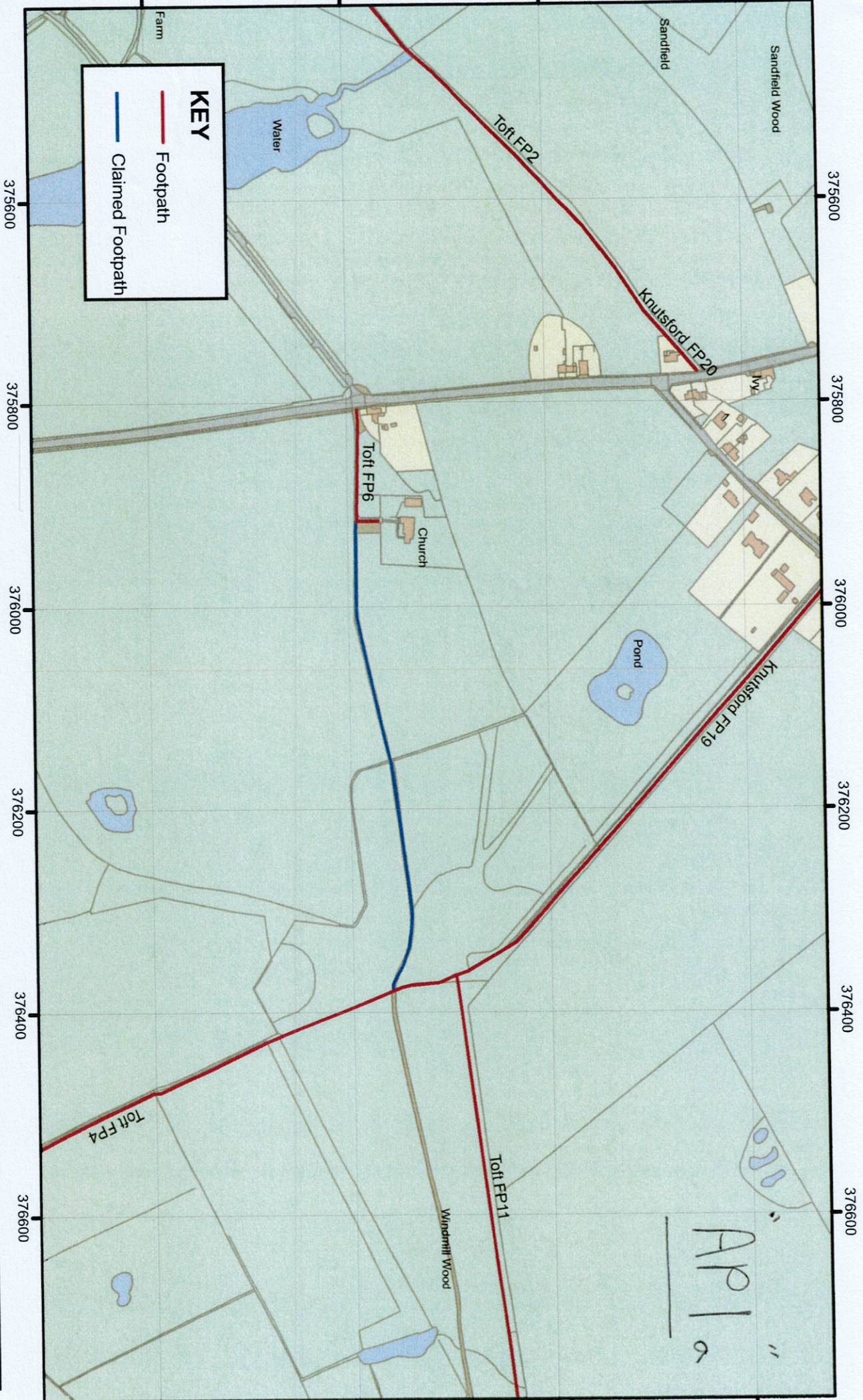
Declared before me, a solicitor, or
person authorised by law to take oaths
this 27th day of March 2024

at PRIMAS LAW LIMITED
TOWER 12
SPINNING FIELDS
Address of solicitor MANCHESTER

376400

376800

377000



KEY

- Footpath
- Claimed Footpath

Claimed Footpath from Toft FP 4, Toft Church to Toft FP 6, Windmill Wood, Toft



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