

---

## AFFIDAVIT OF MARK EDWARD DEW

---

I, **MARK EDWARD DEW** of The Maltshovel Inn, Ruardean, Gloucestershire **MAKE OATH** and say as follows:

1. I swear this Affidavit in support of an appeal which is being prepared in response to the serving of Enforcement Notice reference EN/2016/002415/ZZ as well as any subsequent applications which may be made for a Lawful Development Certificate relating to the existing uses of land at the property known as The Doward Farm, Ross-on-Wye, Herefordshire (hereinafter referred to as “The Doward”).

2. There is now produced and shown to my marked MD1 a copy of the Land Registry Title Register relating to The Doward. As will be observed, I purchased The Doward on the 2<sup>nd</sup> day of July 1997. I proceeded to operate it as a farm. I had suckler cattle, producing calves every year, and also sheep. I was involved in assisting in the births of both calves and lambs. I was receiving money from DEFRA from the National Reserve. While I myself ceased keeping cattle about five years ago, the farm is now out for grasskeep. I retain a range of agricultural machinery on the land shaded red on plan MED2, as well as on land shaded red on plan MED3.

3. From the same time (1997), I began to transfer to The Doward motor cars and other vehicles from my private collection of motor cars, which I had been accumulating since the early 1980s. These were mainly British vehicles – MGs, Morris Minors, British Leyland vehicles. I had cars in the car park of the Maltshovel Inn and in the land adjacent to a work-shop which I was renting at Cirencester. About 1998/9, I bought some of the contents of the Yorkshire Motor Museum. This included a 1926 Bullnose Morris, a 1930 Ford Model BB, a 1969 Aston Martin DB and a 1969 Cadillac which had belonged to Joy Beverley, who was one of the singing trio known as The Beverley Sisters, and wife of the former England Soccer Captain, Billy Wright.

4. Over the course of the next few years, I brought to The Doward large numbers of vehicles, some of which were housed in the outhouses to the farm and some put on the farm-land. I have been

asked to provide examples of the vehicles. I have a clear recollection of almost all of them, but prominent in my mind are a Citroen CX Estate car and a Morris Minor car JBX 303D, both of which were bought from a neighbouring farm in early 2000. At around the same time, I also acquired a Citroen Diesel 1.9 DX from a farm-worker. In 2005, I ceased renting the work-shop to which I have already referred, and I brought vehicles over to the Doward at that time. Examples of these vehicles were a Transit Van, an MGB GT, an Austin A30, an MGB Midget, an MGB B and a Landrover. It has long been my intention to establish a Motoring Museum, and to assist in preserving British linked Motoring heritage for the future. Some of the vehicles that I own are used for parts and others are being preserved whole.

5. There are now produced and shown to me marked MD2, and MD3 copies of plans prepared by my Planning expert. I can confirm that all the land hatched in red has been used for the purpose of storing this private collection of cars, for in excess of ten years. This includes the Silage Clamp to the south-west of the farm-house. Until approximately five years ago, during the autumn winter months the cars which were kept within the clamp were moved out while the Clamp was used to store the food needed for the cattle. In the Spring/ Summer, when the clamp was empty, cars would be moved back in to free up other space upon the farm. Since this time, the silage clamp has been used only for the storage of cars.

6. When brought to The Doward, the vehicles would be driven down the drive and then round the back of the farm-house. We would also move them from time to time to ensure that the brakes were free and the engines were not seized. To do this, we would drive them round the back of the farm-house to the drive and down again. My father used to help with this. I can remember one occasion about eight years ago when he crashed a Jaguar into a stone wall while he was assisting me in this process. He also used to come down on a regular basis to help with the cattle and sheep.

7. Some of the vehicles stored at The Doward are of course necessary for the operation of the farm business itself. I have a 135 Massey-Ferguson Tractor, and some classic Land-Rovers which would be used to move cattle and sheep and bales of hay. All these vehicles were at The Doward from the first day I took up occupation. I can recollect Michael Ware, curator for Lord Montagu and Beulieu motor museum, visiting, and we had lunch together to discuss opening up the museum. I

also received a similar visit from the late lord Raglan and Ronnie steady Barker in their Bugatti and 1920 Bebe Peugeot motor cars. Roger Cooke from BBC Radio's Cooke report visited when he heard I had an original Costello in the collection and wanted to verify this.

8. I respectfully submit that it is abundantly clear that The Doward and the land appurtenant to it has been used for well in excess of ten years without break or intervening use as not only a working farm but also as a repository for my collection of vehicles.

SWORN by the above-named )  
Mark Edward Dew this )  
4<sup>th</sup> day of *October* 2016 )  
at *Monmouth* )  
in the County of *Monmouthshire* )

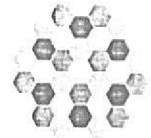
BEFORE ME  
Solicitor/Commissioner for Oaths

---

**AFIDAVIT OF MARK EDWARD DEW**

---

Brynmawr Law Ltd  
74 King Street  
Brynmawr  
Blaenau Gwent  
NP23 4RG



# Official copy of register of title

Title number HE23848

Edition date 12.11.2008

- This official copy shows the entries on the register of title on 30 SEP 2016 at 14:06:22.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 30 Sep 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Telford Office.

## A: Property Register

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

### HEREFORDSHIRE

- 1 (26.08.1997) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Doward Farm, Whitchurch (HR9 6DU).
- 2 (26.08.1997) The Transfer dated 2 July 1997 referred to in the Charges Register contains the following provision:-  
  
"The parties declare that the Purchaser shall not be entitled to any rights easements or quasi easements over or affecting any adjoining or nearby land owned by the Vendor"

## 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 (26.08.1997) PROPRIETOR: MARK EDWARD DEW of The Malt Shovel, Ruardean, Glos, GL17 9TW.
- 2 (06.04.2004) RESTRICTION: No disposition or dealing of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 February 2004 in favour of Bank of Scotland PLC referred to in the Charges Register.

## C: Charges Register

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

- 1 (26.08.1997) An Agreement dated 15 March 1968 made between (1) Patrick John Ronald Waller and (2) Richard George Bethell relates to the laying of a pipe.

NOTE: Copy filed under HW181204.

## C: Charges Register continued

- 2 (26.08.1997) The land is subject to the following rights granted by a Conveyance of the Old Kiln House dated 14 June 1983 made between (1) Timothy Francis Featherstonhaugh Nixon and Lucy Elizabeth Muriel Nixon (Vendors) and (2) Roger Ridley Tomalin and Janet Chapin Tomalin (Purchasers):-
- "TOGETHER ALSO WITH the right to lay maintain and use a water pipeline under the adjoining property of the Vendors known as The Doward Farm from the main owned by the Welsh Water Authority to the property hereby conveyed TOGETHER WITH such rights of entry on to the property known as The Doward Farm as shall be necessary for the purpose of exercising the rights referred to above subject to the Purchasers making good all damage caused by the exercise of such rights and paying compensation for any damage that cannot be made good"
- 3 (26.08.1997) By a Transfer dated 2 July 1997 made between (1) Byron Murray Anderson Cowie (Vendor) and (2) Mark Edward Dew (Purchaser) the land in this title and other land was conveyed subject as follows:-
- "The Property is sold subject to:
- .....  
..
- the matters contained or referred to in
- .....  
..
- A Conveyance dated 18 June 1973 and made between (1) Robert Peel Waller and the Public Trustee and (2) David Austen Adams and Katherine Sylvia Mabel Adams"
- NOTE: Neither the original Conveyance nor a certified copy or examined abstract thereof was produced on first registration.
- 4 (06.04.2004) REGISTERED CHARGE dated 19 February 2004.
- 5 (12.11.2008) Proprietor: BANK OF SCOTLAND PLC (Scot. Co. Regn. No. SC327000) of 1 Lovell Park Road, Leeds LS1 1NS.
- 6 (06.04.2004) The proprietor of the Charge dated 19 February 2004 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

End of register

Land Registry

Official Copy

Official Copy

Title number HE23848

Ordnance Survey map reference SO5416SW

Scale 1:2500

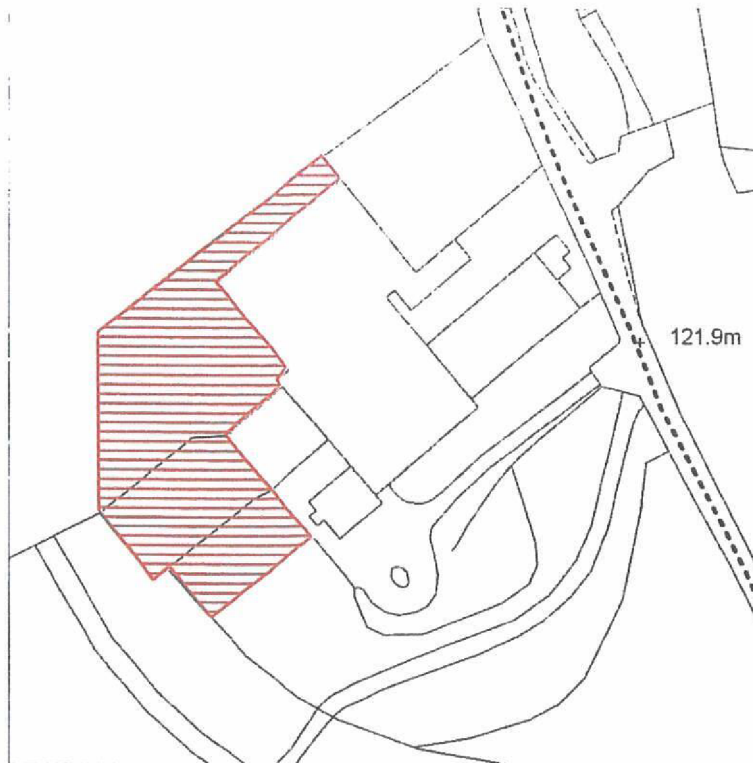
Administrative area Herefordshire



© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316

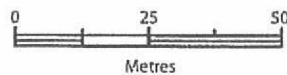


This official copy is incomplete without the preceding notes page.



Doward Farm, The Doward, Whitchurch, Ross-on-wye

Scale 1:1250



Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey and the OS Symbol are registered trademarks and OS MasterMap® is a trademark of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

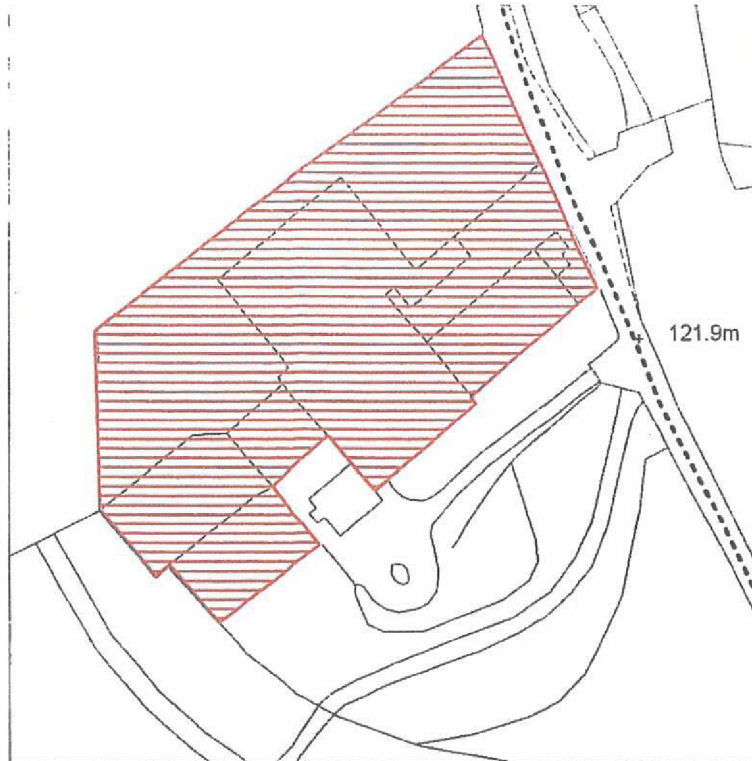
The representation of features as lines is no evidence of a property boundary.

Date Of Issue: 28 September 2016  
 Supplied By: Getmapping  
 Supplier Plan Id: 167179\_1250  
 OS License Number: 100030848  
 Applicant: Vicky Simpson  
 Application Reference: 1609 1:1250 2 hectare

MED 3

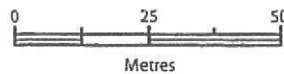


getmapping.com



Doward Farm, The Doward, Whitchurch, Ross-on-wye

Scale 1:1250



Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey and the OS Symbol are registered trademarks and OS MasterMap® is a trademark of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

Date Of Issue: 28 September 2016  
Supplied By: Getmapping  
Supplier Plan Id: 167179 1250  
OS License Number: 100030848  
Applicant: Vicky Simpson  
Application Reference: 1609 1:1250 2 hectare