



3/08/2026

Dr N J Gilbert: Statement of Case Ref: ROW/3354782

RE: Additional footpath in Great Witcombe 573/11/101(1)

Dear Sir/Madam,

1. It is twenty-one years since I made my application for an additional footpath to Witcombe reservoirs. This is important because of the fifty witnesses who submitted evidence statements in support, twelve are sadly known to be deceased (2,6,17,18,19,30,35,38,39,40,43,45), and I have been unable to contact others who would now be very elderly, if indeed still alive. These people tendered their evidence in good faith and in a procedurally legitimate manner and, though they will not be able to attend the inquiry, I sincerely hope that their evidence is heeded and taken into account, especially since, by and large; these are the people with the greatest amount of experience of using the claimed path.
2. The evidence for this additional footpath has been presented at two Commons and Rights of Way (CROW) Committee meetings (2007 and 2009) and at an appeal to the Secretary of State for the Environment, which was decided in 2008. Consequently, a mass of documentation has accumulated and I do not wish to unnecessarily add to this. I will therefore seek to make some general points and highlight parts of evidence, which I feel are most salient, but otherwise refer the reader to the statement of grounds/case submitted by Gloucestershire County Council [Document '3' on the PINS website]. This includes the paperwork for the meetings and the appeal referred to above. In particular, if anyone wishes to become familiar with the substance of the case in a concise form, I would highly recommend reading the report to the Secretary of State for the Environment produced by Inspector Helen Slade in 2008. [16 'Annex A'].
3. I will begin by raising a general question, which has occurred to me over the years: why would fifty local people (notwithstanding some may have since moved away), thirty-four of whom I did not previously know, or barely knew, (and who didn't all know each other), complete detailed witness evidence forms and in 25 cases supply supplementary pages of detail, in order to support an application for a footpath, which the Landowner claims most of them never used [9.02 Landowners comments about witnesses]. There is no credible answer other than they are telling the truth and sought to continue walking to a beauty spot, as of right, as they had done for years.

4. The Landowner claimed that she and her employees were vigilant and that, “It has been her family’s and employees’ habitual practice to turn back anyone seen using the claimed route without permission” [6.1(6)]. She said that this demonstrated a lack of intent to dedicate the path. This has not been my experience or that of the supporting witnesses, at least until after the claimed period (1981 – 2001) when there appeared to be a shift in the Landowner’s attitude and actions. If there had been a determined and sustained policy of turning people back, why did these witnesses only report being asked not to use that route in 2004 and 2005? Surely if there had been such a policy in place all along, there would not have been such an abrupt reaction by all of these people.
5. I append a photograph (P), to the end of this statement. It has not previously been submitted in evidence and I think it is useful because it illustrates a number of points. The photograph shows my wife, Moira (witness 4), my sister, Louise Taylor (witness 32) with their babies in prams along with my mother’s friend, Julie Gurr, at Witcombe reservoir in August/September 1990. The photograph was taken by my mother, Evelyn Gilbert, (witness 3), on the reservoir causeway. I have marked this location as point, ‘P’ on the attached map, ‘WR – P’.
6. Younger generations may wonder why there appears to be a paucity of photographic evidence, so I should point out that this was before mobile phones were in common usage and if one wanted to take a photo, one would need a camera. Also, although I do have numerous photos of my family and friends at Witcombe reservoirs, one would not necessarily be inclined to take photos of the path along the way. Nevertheless, there are a few such photographs, which have already been submitted: of Moira Gilbert (witness 4) walking with a Bassett hound along the claimed route [04.1 P37]; and several of Duncan and Ruth Hepburn’s family (witnesses 28 and 29) en-route with pushchairs [04.1 P38+39].
7. The significance of *this* photograph is that there is no conceivable way that these people could have walked with the prams to this spot on the reservoir causeway other than by the claimed route.
8. The Landowner and her witnesses deny ever seeing my wife or my mother use this route. They (wrongly) claim to have told my sister, Louise, to go back; but here they all are at the reservoir with babies in prams.
9. This photograph also reminds me that the fifty witnesses presented at this inquiry were not the only ones to walk this way. They are only the ones who completed evidence forms. There were many others, like the lady shown in the photograph, who we would invite to walk with us when they visited the family home. This included university friends, relatives – my sister, Penny (witness 31) took her Turkish parents-in-law to the reservoirs by that route. It was as easy and as relaxed as that.
10. I think anyone reviewing the evidence from both sides might think that this was a busy thoroughfare and that the farmyard was heaving with people. Indeed, opposing witness Carole Diett says, “I can honestly say that I cannot recall seeing large numbers of people

walking along the lane towards the private road leading to the reservoirs.” [09.02 P47]. But, I have not claimed that these walkers used the route en-masse and the few people using the stables or otherwise working at the farm did not usually pay any heed to them, though fisheries bailiff did gave my wife, Moira (4) two trout on one occasion!

11. My sister, Louise, is present at the reservoir in this photograph at a time when she lived at her current address near Abergavenny. The Landowner has suggested in her objections [6.1/8.3] that, “Many people who live a considerable distance from the path have no obvious reasons for using the path.” My sister is here, having travelled from South Wales, to walk this way whilst visiting her parents. This is just an example of the many reasons why people would continue to walk this route, even after they had moved away, either temporarily, as in my case, or permanently in Louise’s.
12. The Landowner says that the condition of the alternative routes is of no relevance to this claim [09.02 P3 (1) para 4] and yet makes numerous statements that myself and other witnesses would not have used the claimed path, because the other options, “Would provide better routes to the destinations which the users claim to be accessing.” [6.1/3.2 and 7.1]. It is said, “There are often closer or more convenient routes.” [6.1/3.2]. This makes it entirely relevant to point out the fact that AWG/4 involves crossing three stiles, one of which is on a steep slope and two of which are not uncommonly flooded with water (it is no coincidence that a reservoir was sited here). The fields are often muddy and contain horses, which can be boisterous especially when walking a dog on a lead. The other alternative from Brockworth is EBW/15 which runs over a ploughed field and then through a narrow gap in a hedge, made very uneven by large tree roots often covered with standing water, over which is a single plank of wood which is very slippery when wet. Then there is further field before a narrow gap in a hedge, often flooded, before one can arrive at the grassy edge of one of the reservoirs. I attached photographs of some of these obstacles in my appeal submission and they can be viewed on PINS [1706-1710 Appeal documents’ (17.7 P 5-8]. Thirteen of the witnesses (1,2,3,4,8,9,10,14,19,27,31,32,37) plus three members of the Ramblers [17.10 P 33,34,35] cited the condition of the alternative routes as one of the reasons why they walked along the claimed path.
13. The Landowner’s objection [6.1/3.2] also says, “In many instances there is no obvious reason why those people should use this particular route, (particularly 2,5,12,13,45,47) their evidence should be tested further.” The Landowner seemed to have great difficulty in understanding people walking for pleasure and not simply to reach a destination. She also had difficulty with the idea of a circular walk and disputes the claimed path being included in such walks [6.1/3.3]. The Landowner suggested that these witnesses (3,4,15,20,42 and 26) were confused about where they walked [6.1/3.3]. Witness 3 is Evelyn Gilbert (my mother) and witness 4 is Moira Gilbert (my wife), both of whom are shown in the photograph (P) having walked the claimed route. Witness 15, Gary John walked and ran this way for years, witnesses 20 and 42 lived in Great Witcombe for years, and witness 26 is Richard Cooper, then a police sergeant. Claiming that these people didn’t know where they were going is quite preposterous.

14. Those who are referred to above by the Landowner as having no cause to use this particular route seem to have been chosen at random. Number 2 is my father, James Gilbert. He usually walked that way in the company of my mother, Evelyn Gilbert (Witness 3) and yet the landowner has singled out him, but not her. Furthermore, James Gilbert submitted a four-page supplementary statement making it clear that he frequently walked that way for leisure. Witnesses 5, 12, 13 and 45 also included additional statements as to why they used the claimed route.
15. Since I was asked not to walk the claimed route in 2005, I have not done so apart from on two occasions. The first in May 2005 when there was a horse obstructing a stile on AWG/4; and the second in 2023 when two horses were galloping around a field through which AWG/4 runs, and I had my infant grandson with me. Most, if not all, of the supporting witnesses have also ceased walking that way since approximately the same time. This is worth mentioning because it explains why they would not have been seen over the last twenty years.
16. It is clear from the original forty-nine evidence forms, plus an additional five supportive letters and e mails supplied by The Ramblers [17.7] that the claimed route was used as if it were a right of way for many more than twenty years and these people and their families derived great pleasure from this easy walk to a local beauty spot and beyond. So, when, between 2004 and 2005, people were turned back from using the claimed route, there was general surprise and dismay. I contacted Gloucestershire County Council (GCC) Public Rights of Way team and spoke to Miss Sarah Burge about what would be required to make a case for this route to be adopted as a public right of way. She informed me that I would need to demonstrate that at least six people had used the way “as of right” for at least twenty years.
17. Initially, I approached family members and friends. These are all people who had no vested interest in providing evidence, other than the desire to continue walking along the claimed way. Any scrutiny of their detailed statements will show that they were written independently. Indeed, the Landowner’s representative likes to point to differences in the statements as if to suggest that they can’t all be telling the truth [6.1/8.2]; such as with the presence or absence of a gate at point ‘A’.
18. I will deal with this point now because it is used by the Landowner, as it was by the CROW committee members in 2007, to attempt to discredit the witnesses because some recorded seeing a gate at point ‘A’ whilst most did not. The members seemed to regard this as a reason to disbelieve the evidence rather than consider the true reason, which was spelt out by the Landowner’s own witness, Mr Arnold Price in his statement [0902 P17]. He lived closest to point ‘A’ (and is the only one of the opposing witnesses to even mention a gate). He said, “Up until the 1970’s there was always a gate across the farm entrance at point ‘A’. This was removed when the farm machinery used was too wide to access through the gate.” It is clear from this that some witnesses who walked the path before the early 1970’s would have been aware of such a gate, whereas those who walked the route later, such as myself, didn’t see one there, because it had gone by then. There is no apparent confusion amongst the

Landowner's witnesses about a gate because they were not asked about it in their evidence. I will add that the presence of a gate does not mean that a right of way did not exist.

19. Before long, word spread about my intention, and I found myself being contacted, either by telephone, or by people knocking on my door and asking to be part of the footpath application and also suggesting other people who they thought would be interested. I supplied them with evidence forms and informed them about the need to mark the route on the appended map and the need to have a countersignature, but I did not direct them what to write. In the end, I submitted forty-nine forms on behalf of fifty people (Mr and Mrs Peachey co-wrote a form between them). These included the Rev John Thornton, the Rector of Witcombe; Richard Cooper, current Chief Constable of West Mercia Police; my sister Louise Taylor who has recently retired as head of midwifery services for South Wales; Simon Ruddleston, a consultant surveyor, Eunice Straley, a university tutor; and several who are company directors e.g. Gary John, David Cooper and Duncan Hepburn.
20. After the Landowner made sometimes disparaging or patronizing comments about the witnesses, including a statement that, "The evidence submitted by walkers from Brockworth must be viewed with some caution" [DMMO Report 2007 04/10.2(b) page 9]; they were given the opportunity to make additional statements, which twenty-five of them did, refuting various aspersions cast against them [9.03].
21. I did not attend the Commons and Rights of Way (CROW) Committee meeting on 20/03/2007, since I could not take time away from my medical practice. My wife, father and sister Penny, did attend and Penny wrote down some of the things, which the three committee members who took an active part said. Some examples are:

"I have a bad feeling about this."

"Who are these people who walk here? Do they go to the Roman Villa or to the reservoirs, or what? I don't understand."

"What are they doing – creeping by at night?"

"I would prefer higher powers to decide."

22. This was despite a fulsome presentation by their own officers, which gave the reasons why the evidence favoured the application. They decided to turn down the application on the following grounds:

Members felt that the evidence was clouded and confused, the majority of the local public was opposed to it, there was no documentary evidence, there was an avenue of appeal, there were anomalies in the use of gates. They were concerned that the path had not been included in a nationwide review of footpaths in 1951 and also felt that a lack of response from the Ramblers Association indicated that they did not support the application.

23. The Inspector for the Secretary of State for the Environment, Helen Slade, concluded at my appeal that none of these reasons given by the CROW Committee were justified. They are dealt with in her report to The Secretary of State [16 (Annex A) 22-29 (pages 5-7)]; so I will not reiterate why they are all spurious. Nevertheless, the Landowner's representative clings to these unreasonable reasons for rejecting the application like a life raft; by saying that, "The members are entitled to take their own view which may differ from their professional officers provided they have good grounds for doing so." [17.11(3)]. Well, the inspector said that they were not justified in doing so and I also understand that it is most unusual for members to go against the advice of their professional officers.
24. At the conclusion of the CROW Committee meeting, my sister remembers that a spectator approached the members to inform them that the reason why the Ramblers Association had not responded was that there was a new person in post and she had not got around to it. Mrs J.M. Byrne, Mid Glos Group Footpath secretary, subsequently confirmed that this had been the case and sent me letters and e mails from a further five people who testified to having walked the claimed route.
25. Feeling that an injustice had occurred, I made an appeal to The Secretary of State for the Environment at DEFRA and on 25/11/2008, I received a letter from DEFRA to say that my appeal had been allowed and GCC was directed to make a modification order.
26. One objection was received to the order, from the Landowner, which meant that it would need to go to a public enquiry. In the mean time, I had discussions with Gloucestershire County Council and was given the option of having my case re-heard by the CROW Committee. This happened on 25/11/2009 – three and a half years after the first hearing. On this occasion, there were six different members and they decided unanimously to find in favour of making the modification order.
27. It has taken since then until now (17 years) to arrive at this public inquiry.
28. The Landowner's objections are dealt with in the statement of case by GCC and by Helen Slade at my appeal, but I would make the following comments;
29. The Landowner denies seeing more than half of the witnesses use the claimed route [9.02 Landowner's comments – witnesses 1,2,3,4,5,7,8,9,11,12,13,14,15,16,20,21,22, 23,25,26,27,29,30,31,34,38,42,43,46 and 47] yet sixteen witnesses in support of the claimed path specifically say they saw and/or talked to Mark and Celia Hicks Beach while walking the claimed path [15.1 user evidence forms and 9.3 additional statements of witnesses 1,2,3,5,21,22,23,28,29,31,32,36,38,42,48]. Although Celia Hicks Beach denied seeing me, her son, Fred, said in his statement that he did see me walking or running with my dog.
30. The Landowner has claimed that some witnesses did not use the claimed route as of by right because they were given permission. However, in most cases this permission was very specific and restricted in nature and did not preclude those same people from using the way for leisure as of by right. An example is the Reverend John Thornton (45), who used to be

the Rector in Great Witcombe and, once a year, he conducted a rogation ceremony, which was sometimes held at the reservoir. He was given permission for this specific purpose but it extended no further and therefore, for the rest of the times he walked there, it would have been as of by right. Furthermore, he retired in 1991, but continued to use the claimed route until 2003.

31. Similarly, Mrs Anne Vickery (5) delivered the village magazine to Witcombe Farm a few times and for this purpose alone she was granted access; but for the rest of her walking experiences she was not. Patricia Curtis (44) was granted permission to ride a horse along the route when her daughter's horse was stabled at the farm for a year in 1999. She was not granted permission to walk for leisure but she did so since the 1950's. Mr Tony Pither (19) was a neighbouring farmer and may have had permission to use the route in connection with shared farming interests. However, he maintains that he walked that way to watch birds and enjoy nature at times unconnected with this. Eunice Straley (48) tutored Andrew Hicks Beach at her own home from April – July 1980 but walked that way for many years before and after that date. My point is that just because a person had permission for one specific purpose related to Witcombe Farm should not mean that many years walking for leisure activities is written off in evidential terms.
32. The Landowner claims [4] that witnesses (8,14,22,27,32 and 36) were turned back and that this constitutes an interruption in use of the route. However, if we look at this more closely, we find that Michael Roberts (witness 8) was challenged in July 2005, after the claimed period. This also applied to Mr and Mrs Peachey (14) challenged in "Spring 2005"; David Cooper Jnr challenged in 2005; Miriam Beard (27) turned back in, "Summer 2004"; Louise Taylor (32) who denies ever being told not to use this route; and Olivia Dell (36) who also emphatically refutes any suggestion that she was challenged and turned back. So, in summary, of the seven witnesses whom the Landowner claims were turned back, five were after the claimed period and two deny being turned back at all.
33. In terms of quality of evidence, the fifty witnesses supporting the claimed path have all completed public path evidence forms issued by Gloucestershire County Council, though Mr and Mrs Peachey shared one between them because they always walked together. All of the forty-nine forms were dated, witnessed and had maps of the area for the witnesses to mark the claimed path and these were signed and dated as well. So this was a rigorous, legal process and the Landowner's lawyer was only able to find one fault, which was Richard Cooper (26), had signed and dated his map but had omitted to mark the route on it. This was used as reason to suggest that he was probably "Mistaken" about the route he took [9.2 P5 (P7 on PINS)]. This despite having six family members who had marked the route correctly. Nevertheless, I accept this was an oversight.
34. Now let us compare this with the evidential standards of the opposing witnesses. I attach a spreadsheet for reference [OW] and the numbers I refer to below correspond to those on the spreadsheet. There were 19 submissions at the original CROW Committee meeting and a further two were added after the appeal. Of these, sixteen completed evidence questionnaires (3,7,8,9,10,11,12,13,14,15,16,17,18,19, 20,21), which did not include a

question about the presence or absence of any gates. The remainder submitted freeform statements. Fred Hicks Beach (16) incorrectly dated his signature (21/11/80) and it was not witnessed. Submissions by three others (6,10 and 14) were not witnessed either. Only five marked the route on a map and none of them correctly stated what the signpost at point 'A' actually read. Most said, "Private Road." The original sign actually said, "Private Road. No unauthorized vehicles." This is an important distinction since it infers that the sign refers to drivers rather than walkers. It was also near the junction of another road, which goes to the pumping station and might have referred to that road rather than the claimed path.

35. Looking at the substance of the opposing witnesses' testimony: of the twenty-one, only five were present throughout the twenty year claimed period (1,3,5,6,16), of which number 6 lived in West Sussex and visited occasionally and Fred Hicks Beach (no 16) was 1 year old at the start of the claimed period and wasn't age 16 until 1996. Fred has answered question 2, *"Does your property have a clear view of the path shown on the plan annexed?"* with "Yes." Question 3 asks, *"If so, from which part of your property can you see the path? (e.g. from the window, garden, etc)."* He answered, "From most aspects of the property." In fact, Witcombe Farm faces at right angles to the path and the view is obstructed by outbuildings to the side and rear. So, far from being able to see the path, "From most aspects of the property," it may be possible to see the very end of the path through shrubs and trees at point D, from the front of the farmhouse.
36. Andrew Hicks Beach (17) went away to boarding school aged 10, in 1980, and so would have missed much of the claimed period. Lucy Wakefield (née Hicks Beach) (12) was 6 years old in 1981 and was in college in London from 1995 – 1999). Irene Cross (4) only lived near the claimed path for a year of the claimed period. Trevor and Angela Buxton (18,19) did not live at a location where they could have seen people using the claimed route. The same applies to 20 and 21. Mr Anthony Diett's evidence that he never saw those witnesses whom he knew well, ever use the claimed route, is contradicted not only by eight of the claimant's witnesses [1,2,3,4,23,24,31,48], but by two opposition witnesses who live opposite him [4 and 8) and by his wife [13].
37. When one holds this evidence up to scrutiny, not only is much of it procedurally inadequate, in terms of evidential value it is contradictory, patchy and lacking in detail.
38. The balance then is between the evidence given by fifty independent people who have nothing to gain other than the use of this claimed path, versus the twenty-one opposing witnesses, three of whom were young children in 1981, eight were employed by or undertook duties for the Landowner (3,5,9,10,14,15,20,21), one lived in a house owned by the Landowner (3), and another (6) was a trustee of the estate.
39. Consequently, I respectfully submit that the evidence strongly favours my claim that this path was used as of right for well over twenty years, which has been supported by the officers of the CROW committee in 2007 (even though members went against the advice),

and by the Secretary of State for the Environment on appeal; and by members of a second CROW Committee meeting in 2009. I hope that justice will prevail, belatedly for those who are no longer with us, and that people of all abilities will once again be allowed to enjoy walking to this local beauty spot, to the benefit of their physical and mental well being.

40. I conclude by offering extracts from eight witnesses who are sadly deceased, but whose words offer us valuable insights.

Excerpts of evidence offered by those known to be deceased

James Gilbert (witness 2) Chartered electrical engineer [9.03 P32]

Lived nearby and walked the claimed route many times each year from 1975 – 2004, usually in the company of others. He wrote,

“The 12 years period 1988 to 2000 spanned the birth and early years of my 8 grandchildren. In succession during this period, I have occasionally walked with them in pushchair or as toddlers along the claimed footpath through Witcombe farm to the reservoirs. This sometimes an even slower journey when feeding the horses in the orchard with carrots and carrying bread for the ducks on the reservoirs.”

“When Mr Mark Hicks Beach has passed me in his car along the claimed footpath he has politely acknowledged me as I stepped aside. Mrs Celia Hicks Beach has also seen me along the claimed footpath when passing in her car. When walking the claimed footpath I have sometimes seen Mrs Celia Hicks Beach going about her business on the farm and I feel sure that she has seen me.”
I have also been seen along the claimed footpath through Witcombe farm on several occasions by the landowner’s tractor driver of many years, Mr Arnold Price, who always greeted me in an obvious and friendly manner.”

“Witcombe Farm looked so bare when they cut down an old large oak tree which dominated the view when approaching along the claimed footpath. This coincides with the building of the line of cowsheds alongside the claimed footpath. I saw Mr Mark Hicks Beach more than usual during these construction works.”

Mary Organ (witness 17) Foster mother [15.1 P52]

This road has been used for many years by myself – husband and his parents and family for over a hundred years. The bridleway went right up into the woods by Tiny Well and across to Birdlip or Coopers Hill.”

Maureen Pither (witness 18) Retired farmer’s wife. [9.03 P51]

In response to the Landowner saying, "Mrs Pither is disabled and cannot walk far." [9.02 P6], Mrs Pither responded,

"My disability has got worse but at the time 50's 60's + 70's I walked miles around the valley and on Coopers Hill happily."

Anthony Pither (witness 19) Retired farmer [9.03 P52]

"Although I have operated a partnership with the landowner in recent years – I still walk the foot-paths to the church and have at times during winter time owing to the state of the horse fields taken the route through the farm. Certainly in past times I used to walk through farm to reservoir for leisure and bird watching, especially with friends who lived on the Birdlip Road near the end of the Landowners road entrance."

Sybil Knight (witness 30) Housewife [15.1 P40]

"All my life this road has been a right of way. My father before me in the early nineties visited this area repeatedly. Often thinking of his life of walking and taking us as soon as we could walk."

Since Mrs Knight was born in 1915, I assume that her father was walking this way in the 1890's and Mrs Knight in the 1920's.

Rose Hellerman (witness 34) Housewife/Retired [15.1 P6]

Mrs Hellerman walked this way from the 1930's. She says,

"I used it fairly regularly leading walks for Girl Guides and the community. I was very surprised when it was closed by Mrs Hicks Beach!"

John Miles (witness 38) Retail shop manager [9.03 P66]

"I have walked the path on many occasions in recent years to view the birds on the reservoir. On many visits I had conversation with Mrs Hicks Beach about various aspects of Witcombe past and present. The only occasion I can put a date to is 27/04/2003 (from my bird record) when I told Mrs Hicks Beach I had seen a rare Black Tern at the reservoir on that day. She asked me not to spread the news as she did not want the crowds to turn up to see it."

Reverend John Thornton (witness 45) Former Rector of Great Witcombe [9.03 P68]

"Recreationally, my family and I made regular visits to the reservoir via A to B and B to A back again. Most frequently during the school holidays – but it was an interesting and refreshing place to walk. Since my retirement in 1991, I have continued to walk and enjoy use of footpath A – B as access to the reservoirs."

List of documents referred to and already held on PINS website:

Doc 3 Statement of grounds

Doc 4 DMMO case 2007

Doc 16 "Annex A' Report to Secretary of state at appeal 2008

Landowner's objections Doc 6.1

Photographs of people en route to reservoir - 4.1 P37 38 39

Doc 9.02 Landowner's comments.

Photographs of alternative paths to reservoirs (AWG/4 and EBW/15) 1706 -1710: appeal documents (17.7 P5-8)

Submission from The Ramblers: Doc 17.10 P33-38

User statements 9.03

User evidence forms 15.1

New documents:

Photograph 'P' of prams at Witcombe reservoirs.

Map 'WR-P' indicating location of photograph 'P'

Spreadsheet 'OW,' summarizing points about opposition witnesses' testimony.



Photo 'P'

I hereby declare that to the best of my knowledge and belief this is a true statement

Dr Nicholas J Gilbert MBChB