

Damages, Losses & Costs Quantification

Version 1.0.0 · 2026-10-23

Editors of the Great House Farm Legal Wiki

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Page 5298 of the Great House Farm Legal Wiki, carried over from the version last modified on 2026-10-21. The same page is published at research.bucklerfamily.estate, and this version is also a [PDF](#) in the wayback archive.

1 Release notes

1.1 This release (version 1.0.0)

- **2026-Oct-23** - Carried over to the docs library from Legal Wiki page 5298 (last modified 2026-10-21 21:47:23 UTC). The page text, dates and references are as on the wiki. Links to wiki pages lead to the same page on research.bucklerfamily.estate; images are links to their files on the wiki.

1.2 Older versions

None yet.

2 Record

Page ID: 5298 · **Title:** Damages, Losses & Costs Quantification · **Evidence status:** ESTIMATE / CONDITIONAL — sources per line · **Version:** 1.0.1 · [Editing Protocol](#)

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Constraint	Entry
Status	Figures are indicative until valued by a RICS surveyor and reviewed by a solicitor.
Law	England and Wales (applies in Wales).
Money	Today's £ (latest data: HPI Jul 2026; rents Aug 2026; Bank Rate Oct 2026).

Conditions	No damages head is unconditional. Each needs title re-established, a register mistake proven, or fraud proven.
Totals	Routes B1, B2 and C are alternatives. Do not add them.
Links	Business Case · Project Plan — cost table · Evidence Register · Reparations Schedule & Proposed Apportionment (heads of loss, pursuit-cost ledger, proposed shares, opportunity to remedy)

2.1 Summary

#	Head	Legal basis	Low	Central	High	Status
1	Loss of the land (Parcel A)	Sch 8 para 6; Smith New Court [1997] AC 254	£621,000	£2,809,000	£4,096,000	ESTIMATE CONDITIONAL
2	Mesne profits v BP, Dec 1988–Nov 1993	Trespass; LA 1980 s.2, s.32	£15,100	£16,600	£20,800	ESTIMATE CONDITIONAL
3	Indemnity, register not rectified (incl. interest)	LRA 2002 Sch 8; LRR 2003 r.195	£165,100	£746,700	£1,350,000	CONDITIONAL
4	Deceit: land + loss of use 1988–2026 + interest	Smith New Court; Doyle v Olby [1969] 2 QB 158	£1,030,000	£3,305,000	£4,981,000	CONDITIONAL
4d–e	Aggravated / exemplary damages	Archer v Brown [1985] QB 401; Rookes v Barnard [1964] AC 1129; Kuddus [2001] UKHL 29	TBC	TBC	TBC	CONDITIONAL
5	Distress, 5 persons	Shelley v Paddock [1980] QB 348	£63,000	£125,800	£188,500	ESTIMATE CONDITIONAL
5c	Personal injury	Medical evidence	—	—	—	PENDING
6	Consequential (livestock, business, contents)	Smith New Court	TBC	TBC	TBC	TBC
7	Interest	s.35A SCA 1981; s.69 CCA 1984; r.195	in 2–4	in 2–4	in 2–4	QUANTIFIED (basis)
8	Sion's time as litigant in person	CPR 46.5; PD 46 para 3.4	£6,480	£13,000	£25,900	ESTIMATE (hours TBC)
9	Project costs to date and to come	CPR 46.5(3)(a)(ii); Sch 8 para 3	Project Plan — cost table	—	—	see Plan

2.2 Totals by route

Route	Heads	Low	Central	High	Condition
A	8 (+9)	£6,480	£13,000	£25,900	Unconditional on fraud/rectification. Needs a costs order. Gmail time proxy ≈200–203 h composing time (ESTIMATE) ≈ £4,870 at £24/h: a floor, see head 8.
B1	1 + 2 + interest on 2 + 8	£661,900	£2,866,000	£4,202,000	Title restored (judgment set aside or register rectified), no fraud finding.
B2	3 + 8	£171,600	£759,600	£1,376,000	Register mistake proven; not rectified.
C	4 + 5 + 8	£1,099,000	£3,444,000	£5,196,000	Fraud proven. Plus 4d–e, 5c, 6 (TBC). Replaces B1 /B2.

2.3 1. Loss of the land

Item	Value	Source
Parcel A area	≈10 acres (4.05 ha)	Mary (Nancy) Williams, formerly Buckler, statement c.1974, on The Two Parcels ; “10-acre” block [EV-0075] ; “ten-acre site” [EV-0106]
Parcel A parts	house/garden; woodland; south-east ground (VG41)	Three Parts of Parcel A (family reconstruction). Areas of each part: TBC
Parcel B	≈9 acres; not quantified	Mary (Nancy) Williams, witness statement c.1974 (Mary (Nancy) Williams testimony): retained by Bute, “given up later” (The Two Parcels); 1939 plan [EV-0023]
Built on site	20 detached houses, 92/00671/RES	[EV-0127] [EV-0135]
Church View Close, CF64 2NN	nos. 1–20, detached; 16 new-build sales Feb 1995–Apr 1997, mean £120,906	HMLR Price Paid: Church View Close, Penarth . Same site as [EV-0135] : count and dates match; plan match TBC
Recent sales	No.14 £480,000 (28 Jun 2021); No.6 £528,000 (24 Oct 2024)	HMLR Price Paid: Church View Close, Penarth
Vale detached, Jul 2026	avg £539,042; index 106.1	UK HPI, Vale of Glamorgan
House value today (low / central / high)	£528,000 / £551,929 / £605,565	2024 sale as sold / 2024 sale indexed / 2021 sale indexed (Vale detached HPI)
Land share of developed value	20% / 25% / 33%	ESTIMATE: residual-method range; valuer to set
Cross-check	Penarth residual £1.7m/ha (2010, 40% affordable, 40 dph); ×1.80 Vale HPI 2010→Jul 2026 ≈ £3.06m/ha	Vale of Glamorgan Viability Study 2010 para 3.13ff; index ESTIMATE
Undeveloped remainder	≈6 acres	ESTIMATE: 10 acres less built plots; TBC by plan
Agricultural value	£6,100 / £8,200 / £9,900 per acre	Savills, GB Farmland, Summer 2025 : England poorer pasture / GB average / England prime arable, H1 2025; Wales values unchanged H1 2025

Line	Method	Low	Central	High
1a Developed value (context; not a loss)	20 × house value	£10,560,000	£11,039,000	£12,111,000
1b Development land	1a × land share	£2,112,000	£2,760,000	£4,037,000
1c Remainder (woodland, green)	6 acres × £/acre	£36,600	£49,200	£59,400
1d Existing-use value (alternative)	Vale detached avg + 10 acres × £8,200	£621,000	—	—
Head 1	Low = 1d; central/high = 1b + 1c	£621,000	£2,809,000	£4,096,000

Dependencies: title re-established (1987 judgment [\[EV-0080\]](#) set aside, or register rectified). LA 1980 s.15 (12 years to recover land) and s.17 (title extinguished), unless [Limitation Act 1980 s.32](#) postpones. s.32(3): no recovery of property or its value from an innocent purchaser for value (current owners). Rectification against a proprietor in possession needs consent unless Sch 4 para 3(2)/6(2) applies ([LRA 2002 Sch 4](#)).

2.4 2. Mesne profits / loss of use

Item	Value	Source
Rent, Vale, Aug 2026	detached £1,341/month; 4+ bed £1,478/month	ONS, Housing prices in the Vale of Glamorgan
High case	£1,848/month	ESTIMATE: 4+ bed +25% (10-room farmhouse with garden; no ONS series)

Backcast	$\text{rent}(t) = \text{rent}(\text{Aug } 2026) \times \text{Wales HPI}(t) \div \text{Wales HPI}(\text{Jul } 2026)$	UK HPI, Wales; constant-yield assumption: ESTIMATE
Dispossession	29/30 Nov 1988	Master Timeline; [EV-0106]
BP in possession to	3 Dec 1993 (transfer to Ideal Homes)	Land Registry Titles
Woodland and VG41 ground	taken 4 Jul 1955 (family reconstruction)	Three Parts of Parcel A. Loss of use: TBC (no grazing-rent source)

Line	Period	Low	Central	High
2a Against BP	Dec 1988 – Nov 1993	£15,100	£16,600	£20,800
2b Full period (deceit measure; used in Head 4)	Dec 1988 – Oct 2026	£308,800	£340,300	£425,400
2c Last 6 years only (no s.32)	Nov 2020 – Oct 2026	£89,700	£98,900	£123,600

Legal basis: mesne profits are damages for trespass by a person in possession without right, measured at the ordinary letting value (*Inverugie Investments v Hackett* [1995] 1 WLR 713). Dependencies: title re-established; claim lies against whoever was in possession (BP 1988–93; Ideal Homes 1993–95; homeowners after); LA 1980 s.2 (6 years) unless s.32.

2.5 3. Rectification and indemnity

Rule	Effect
LRA 2002 Sch 4 paras 2–3, 5–6	Register may be rectified to correct a mistake; not against a proprietor in possession without consent unless fraud/lack of care or unjust not to.
LRA 2002 Sch 8 para 1(1)(a)	Indemnity for loss caused by rectification (runs to whoever loses on rectification).
Sch 8 para 1(1)(b), para 6(b)	Mistake not rectified: indemnity value capped at value when the mistake was made.
Sch 8 para 5	No indemnity for own fraud; reduced for own lack of proper care.
Sch 8 para 3	Costs only if incurred with the registrar's consent.
Sch 8 para 8	Simple contract debt: 6 years from when the claimant knew or ought to have known.
LRR 2003 r.195	Simple interest. Before 10 Nov 2008: judgment-debt rate. From 10 Nov 2008: Bank Rate + 1%. None for periods without due diligence (r.195(3)).

Item	Value	Source
Date of suspected mistake	23 Feb 1983 (first registration, WA240304)	[PENDING: EV-0066]; Form 1C [PENDING: EV-0063]; schedule [EV-0161]
Law in force in 1983	Land Registration Act 1925	Transitional application of Sch 8 to a 1983 mistake: solicitor to confirm (TBC)
Index Feb 1983 → Jul 2026	8.5 → 106.5 (×0.0798)	UK HPI, Wales
Judgment-debt rate	12% to 15 Apr 1985; 15% to 31 Mar 1993; 8% from 1 Apr 1993	8%: SI 1993/564. 12% and 15%: ESTIMATE (orders not opened)
Bank Rate	monthly series; 3.75% Oct 2026	BoE Bank Rate

Line	Method	Low	Central	High
3a Rectified	Land returned: value = Head 1	—	—	—
3b Value at 23 Feb 1983	Head 1 × 0.0798	£49,600	£224,200	£327,000
3c Interest, r.195	Low/central from 1 Dec 1988 (loss date ESTIMATE); high from 1 Mar 1983	£115,500	£522,500	£1,023,000
Head 3	3b + 3c	£165,100	£746,700	£1,350,000

2.6 4. Deceit (CONDITIONAL on fraud)

Line	Basis	Low	Central	High
4a Land — CONDITIONAL	Head 1	£621,000	£2,809,000	£4,096,000
4b Loss of use 1988–2026 — CONDITIONAL	Line 2b	£308,800	£340,300	£425,400

4c Interest on 4b — CONDITIONAL	Senior Courts Act 1981 s.35A : Bank Rate / +1% / 8%	£99,900	£156,100	£459,400
4d Aggravated — CONDITIONAL	Archer v Brown [1985] QB 401	TBC	TBC	TBC
4e Exemplary — CONDITIONAL	Rookes v Barnard cat. 1 (oppressive acts of government servants) or 2 (conduct calculated to profit); Kuddus [2001] UKHL 29	TBC	TBC	TBC
Head 4	4a + 4b + 4c	£1,030,000	£3,305,000	£4,981,000

Measure: all loss directly flowing from the fraud, including consequential loss (Smith New Court v Scrimgeour Vickers [1997] AC 254; Doyle v Olby [1969] 2 QB 158). 4e cat. 2 is measured against the defendant's profit: developed value £11,039,000 (1a) less land and build cost; build cost not held (TBC). Dependencies: fraud proven to the civil standard; 1987 judgment set aside (Takhar v Gracefield [2019] UKSC 13; RBS v Highland [2013] EWCA Civ 328); [Limitation Act 1980 s.32\(1\)\(a\)](#) runs from discovery or reasonable diligence; s.32(3) bars recovery of property or its value from innocent purchasers; no double recovery with Heads 1–3.

2.7 5. Personal harm

Item	Value	Source
Law	Distress recoverable in deceit (Shelley v Paddock [1980] QB 348); in contract only within Watts v Morrow [1991] 1 WLR 1421 and Farley v Skinner [2001] UKHL 49; aggravated damages in tort (Head 4d).	
Analogy	Vento bands: £1,300–£12,600; £12,600–£37,700; £37,700–£62,900	Vento bands, Ninth Addendum (2026) . Employment tribunal only; analogy, not a tariff
Persons	5: William, Branwen and three children	[EV-0106]. Living claimants / estates: TBC
Per person	£12,600 / £25,150 / £37,700	ESTIMATE: Vento middle band floor / midpoint / top

Line	Low	Central	High	Status
5a Distress × 5	£63,000	£125,800	£188,500	ESTIMATE · CONDITIONAL
5b Personal injury (William taken to Llandough Hospital after eviction, Nov 1988)	—	—	—	PENDING: medical evidence

2.8 6. Consequential losses

Loss	Status	Note
Livestock	TBC	No wiki record found (searched: livestock, cattle, sheep, horses, pigs, dairy).
Farm or other business income	TBC	Sion to supply.
Contents, belongings, removal, storage	TBC	Sion to supply.
Rehousing (bus, 1989; rent paid since)	TBC	Press, 1989 (Master Timeline); amounts not held.

2.9 7. Interest

Basis	Rule	Used in
Senior Courts Act 1981 s.35A	Simple interest at the rate the court thinks fit, from cause of action to judgment (High Court).	2, 4c
County Courts Act 1984 s.69	Same power in the county court.	2, 4c

Judgments Act 1838 s.17	8% from 1 Apr 1993 (SI 1993/564); runs after judgment. Used here only as the high sensitivity.	4c high
LRR 2003 r.195	Indemnity interest (above).	3c
BoE Bank Rate	Monthly average of daily Bank Rate, 1983–Oct 2026.	3c, 4c

2.10 8. Sion's time as litigant in person

Rule	Effect
CPR 46.5(2)	Costs capped at two-thirds of what a legal representative would have been allowed (not half).
CPR 46.5(4)(a); PD 46 para 3.2	Proven financial loss for time reasonably spent; written evidence served 24 hours before the hearing.
CPR 46.5(4)(b); PD 46 para 3.4	No proven loss: £24 per hour (was £19 before 1 Oct 2025).
CPR 46.5(3)(a)	Only work and disbursements a lawyer would have been allowed for.
CPR 44.2	Costs are discretionary; a costs order in Sion's favour is required.

Item	Value	Source
Earliest dated email	16 Aug 2016, from Sion's address	16 Aug 2016 (Date header)
Archive	585 records; 227 texts readable; 111 with a Date header; 91 sent by Sion (2016: 1; 2025: 15; 2026: 75)	email.bucklerfamily.estate, read 18 Oct 2026
Dated items by month	2016-08 1 · 2024-02 1 · 2025-10 2 · 2025-11 14 · 2025-12 1 · 2026-01 4 · 2026-02 49 · 2026-03 3 · 2026-04 3 · 2026-05 17 · 2026-10 16	same
Sustained period	5 Oct 2025 – 18 Oct 2026 = 54 weeks	first dated item of the current run, same archive
Hours per week	TBC (Sion). ESTIMATE 5 / 10 / 20	
Gmail time proxy (ESTIMATE)	488 case emails sent, 23 Mar 2016 – 18 Oct 2026; 477 in the run from 1 Oct 2025 (47 active weeks, ≈239,600 words). Composing time at 20 words/min: ≈200 h (run from Oct 2025), ≈203 h (all years) → ≈£4,870 at £24/h. Floor only: excludes research, archive visits, FOIs, calls and wiki work. A proxy, not a timesheet; some 2026 emails were drafted with AI help.	Sion's Gmail, read-only count, 18 Oct 2026 (I-015)
Cap illustration	$\frac{2}{3} \times £142 = £94.67/\text{h}$ (Grade D); $\frac{2}{3} \times £295 = £196.67/\text{h}$ (Grade D); $\frac{2}{3} \times £295 = £196.67/\text{h}$ (Grade A)	Guideline hourly rates 2026, National 1 (Cardiff Inner)

Line	Formula	Low	Central	High
8a £24 limb, 54 weeks	hours/week $\times$ 54 $\times$ £24	£6,480 (270 h)	£12,960 (540 h)	£25,920 (1,080 h)
8b Proven-loss limb	hours $\times$ proven hourly loss, $\leq \frac{2}{3}$ lawyer-equivalent	TBC	TBC (ceiling at 540 h: £51,120–£106,200)	TBC
8c 16 Aug 2016 – 4 Oct 2025	hours $\times$ £24	TBC	TBC	TBC

Recoverable	Not recoverable
Time reasonably spent on work a lawyer would do in the proceedings, after a costs order.	Time without a costs order in Sion's favour.
Pre-action work only so far as it is costs of and incidental to the proceedings later brought.	General research, campaigning, FOI and wiki work not tied to the proceedings.
Disbursements (official copies, court fees).	Other family members' time (not Sion's costs).
Indemnity route: costs incurred with the registrar's consent (Sch 8 para 3).	Indemnity route: costs without that consent, unless urgent or later approved.

2.11 9. Project costs

Costs to date and to come: [Project Plan — cost table](#). Recoverable as disbursements only under a costs order (CPR 46.5(3)(a)(ii)); on the indemnity route only with the registrar's consent (Sch 8 para 3).

2.12 Inputs needed from Sion

Input	Used in
Hours per week and periods worked; any lost earnings with evidence	8
Medical evidence (William; any family member)	5b
Livestock, business, contents, removal, rehousing costs	6
Living claimants and estates (grant of representation)	5, 4
Plan areas of the three parts of Parcel A	1, 2