

THE PEAK DISTRICT AND
NORTHERN COUNTIES
FOOTPATHS PRESERVATION
SOCIETY

REPORT
OF THE COUNCIL

For the Year
ended 31st December
1941

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The Peak District & Northern Counties Footpaths Preservation Society

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REPORT

FOR THE YEAR ENDING DECEMBER 31, 1941.

THE efforts of the Society continue to meet with the sympathetic help of the Highway Authorities and County War Agricultural Committees which has materially helped to bring about a satisfactory year's work in regard to the preservation of footpaths.

As was naturally to be expected additional paths have been closed for the purposes of national defence and security but in at least two cases on the representation of the Society alternative provision has been made for the public.

As regards paths over agricultural land further instructions have been issued to County War Agricultural Executive Committees by the Minister of Agriculture which should tend to give increased protection to the interests of the public under Regulation 62 (5a) of the Defence (General) Regulations 1939 referred to in last year's Report. In the Memorandum embodying the instructions it was pointed out (*inter alia*) :—

- (a) That the issue of an authorisation to plough up a footpath should only be considered by an Executive Committee where the path intersects the field proposed to be ploughed up and it was considered essential to stop up or plough the way for the purposes of increasing or maintaining food production; but no authorisation should be issued in respect of the ploughing up of a path skirting the side of a field or of any metalled or made-up way which was kept in repair by the highway authority.
- (b) That before granting an authorisation the Executive Officer should get in touch with the local authority and enquire whether they had any observations or suggestions to make and if necessary to arrange for an interview on the site between the Council's Official and the Executive Officer in order to consider any such matters as the line of the diverted path and whether the farmer should be given the alternative of rolling the site of the original path after ploughing.
- (c) Before giving any authorisation the Executive Committee should obtain from the occupier a written undertaking to restore all rights in respect of the way as soon as para. 5(a) of the Defence Regulation 62 should cease to be in force and that the following conditions should be attached to every authorisation which might be issued :—

The occupier of the land should make a diversion of the way for the convenience of persons wishing to pass from one side of the field to the other during such time as the way

was under cultivation and to display notices at each side of the field concerned intimating the diversion which had been made.

Except that if the highway authority agreed, the occupier could as an alternative to providing a longer alternative, roll out a path on the site of the footpath across the field in order to provide a way for the public.

- (d) In all cases a copy of the authorisation be forwarded to the Ministry of Agriculture together with the original Undertaking on the part of the occupier to enable the department to be in a position to ensure uniformity of procedure when the Regulation ceased to be in force as regards the steps to be taken to ensure that the public rights in respect of the way are restored. In addition copies of all authorisations be forwarded to the highway authorities concerned including, in rural areas, copies to the parish council or parish meeting.
- (e) If any Executive Committee becomes aware of any case in which a footpath had been ploughed up without obtaining an authorisation from the Committee particulars should be supplied to the Ministry.

It is satisfactory to note that in the Memorandum the Minister of Agriculture emphasised that it was clearly his intention that all possible steps should be taken to interfere as little as possible with the public enjoyment of the countryside and to secure that when the war emergency came to an end the full rights of the public in the matter of footpaths should be restored unimpaired, and urged the necessity for the procedure outlined in the Memorandum being faithfully followed in each case in order to forestall any criticism that avoidable or permanent interference had taken place or would take place in regard to public rights in the matter of footpaths, as a result of the exercise of powers under Defence Regulation 62 (5a).

In August last an inspection of all the authorisations granted by the Derbyshire Committee was made at the office of that Committee and arrangements made for the Society to be kept in touch with all subsequent applications. In all cases the Society has sufficient information to enable each path to be investigated after the war, to ensure that no public rights are lost. The majority of the applications concern the area round Ashbourne. The plans and the attached correspondence will clearly have considerable value as evidence of public rights. Some 28 applications have been dealt with by the Derbyshire Committee. Copies of authorisations are also being supplied by the Cheshire Committee, which has issued 4, and by the Lancashire Committee which has issued 15. In some cases, however, only rolling out has been permitted in lieu of a diversion.

It is with deep regret that your Council has to record the death of Sir Harold Elverston J.P., who for many years past has been a Vice-President of the Society.

Following are some of the many matters that have occupied the attention of the Society and its Officers :—

FOOTPATHS ABOVE ROWARTH. The stream crossing on the path which runs from Back Rowarth in a north easterly direction crossing the stream immediately north of the Mill Pond and taking an easterly direction to the valley road is very bad and it has been suggested to the Derbyshire County District Surveyor that steps should be taken to facilitate the crossing either by channeling, stepping stones or the provision of a plank footbridge, and also to repair or renew the two narrow planks on the path from Lower Harthill to Rowarth. In addition his attention has been called to the condition of the slab gap stile (which is leaning badly and appears in danger of falling) on the path from Lower Harthill to Upper Rowarth and to an obstruction of barbed wire and stakes on the path from the valley road to Back Rowarth.

FOOTPATH FROM CHAPEL MILTON TO THE WASH. At a point 300 yards east of the motor road at Chapel Milton and 300 yards north east of Stodhart Farm a new length of barbed wire appeared across the top of a stile. As it was understood that the track was supposed to be closed for the duration of the war owing to corn growing, representations were made to the County War Agricultural Executive Committee, and at the same time apprehension was expressed that while many paths in the High Peak area of North Derbyshire had been ploughed up in no single instance had application been made to the Minister of Agriculture for the necessary authorisation—without which it is unlawful to plough up a footpath that hitherto had not been ploughed up. The Executive Officer had an interview with the farmer and the latter immediately removed the barbed wire. It appeared that the wire had only been erected as a temporary expedient.

PEAK FOREST TRAMWAY TRACK NEAR CHAPEL MILTON. At the Charley Lane end of this track (which runs from Charley Lane to Chapel Milton) first of all a "Private : No Road" notice appeared and subsequently the owner's attitude was emphasised by the appearance of a padlocked gate flanked by two pieces of new walling. This walling was knocked down by local persons and rebuilt and then concrete lined on top. In a

communication to the owner of the land the track was claimed to be a public way and the removal of the obstruction asked for. In reply the owner stated that the Railway Company from whom he purchased the land had informed him at the time of purchase that the public had no right over the land sold. From enquiries made by your Inspector the Council is satisfied that there has never been any interference with pedestrian use along the track for a great many years—far beyond the period of twenty years required by the Rights of Way Act and that during that period there has never been any prohibiting notice.

The Chapel Rural District Council recently purchased land adjoining this track and erected a wire fence and a padlocked gate but left a gap of 12 $\frac{1}{4}$ ins. between concrete posts for the passage of pedestrians. As the concrete posts are about 4ft. 10ins. high the width of the gap seemed hardly reasonable and the District Council was asked to increase the width of the gap to three feet. That council is not prepared to increase the width but is going to provide a stile which should be a distinct improvement.

CHEEDALE FOOTPATH. Your Council regrets to state that the Contractors being still engaged on Government contracts have as yet been unable to complete the further work that was authorised to enhance the value of the memorial to the late President, Col. H. T. Crook. Further donations to the memorial fund amounting to £7. 8. 0 have been received during the year and there is now in hand £5. 3. 0 towards the £10 which your Council authorised the Bakewell Rural District Council to spend on the further work referred to.

FOOTPATH FROM "THE STREET" TO KETTLES-HULME. The Derbyshire County District Surveyor was recently asked to see to the repair of the ladder stile on this path but he was not prepared to do this but stated that he would endeavour to find the owner and tenant of the land and ask him to have the necessary repairs to the stile carried out.

DOCTOR'S GATE. In recent years this track has on several occasions suffered storm damage. At a point about 150 yards north of Doctor's Gate culvert on the Sheffield-Glossop road the track crosses the stream, which later passes through the culvert. The crossing of the stream has steadily deteriorated and the crossing became unsatisfactory. The County District Surveyor has agreed to erect a plank footbridge if he can obtain the timber, but otherwise he will cut steps in the bank as suggested by the Society.

The footbridge erected by the Society on this track several years ago has again suffered storm damage. Efforts were made to re-erect the bridge but flood waters undid the work. However, instructions have been given for the strengthening of the bridge to withstand flood waters and it is anticipated that the work will be carried out in the early Spring.

ROAD NEAR MOSSYLEE BRIDGE. Some time ago the attention of the highway authorities and the police was drawn to the danger to ramblers using this road at night owing to the bank supporting the road having collapsed. The danger spot has now been suitably fenced off.

FOOTPATHS AT PEAK FOREST. Complaints received as to the path connecting the Old Dam Lane with the main road at Peak Forest indicated the presence of a bull in one of the fields crossed by the path, whilst another field had had the path turned over in cultivation during the past year, and at the side of Chamber Knoll Farm the stile by the side of the gate was impossible of use owing to a big heap of manure being banked against the wall on both sides of the stile. As there was no notice about the portion which had been ploughed over, representations were made to the County War Agricultural Executive Committee whose executive Officer warned the farmer as to the bull and advised him to remove the manure. The tenants of Chamber Knoll Farm and Beytondale Farm have now applied for the requisite authorisation to divert and plough up the path, but the Executive Officer being of the opinion that it would be more convenient to the public to have the original way rolled out after each ploughing rather than follow a diversion round the boundaries of the field, authorisations have been granted for the ploughing and rolling out of the path.

GRIMBO CAR FOOTBRIDGE, SNAKE VALLEY. Your Council regrets to report that the footbridge which, as mentioned in last year's Report, had been erected by the Derbyshire County Council has been swept away by flood waters of the Ashop, this being the second occasion since the outbreak of war that the bridge at Grimbo Car has suffered this fate. It is understood that the County Council has the matter under consideration with a view to building both a ford and a small footbridge.

FOOTPATH FROM ABNEY VIA COCKEY FARM AND BRETTON CLOUGH TO NETHER BRETTON AND THE BARREL INN. Following the representations made to the Bakewell Rural District Council as to the condition of the footbridge across Bretton Clough the matter has been suitably

dealt with. The remains of the old plank bridge are still in the shallow stream and a stepping stone has been placed on them and the crossing is ample; a few yards lower down stream a good stepping stone has been placed where the stream is narrow and at a point about 100 ft. down stream from the site of the old footbridge a new ten foot plank footbridge has been placed.

HOPE WIN HILL BRIDLE PATH. Complaints having been received that telephone wires were across this path in a manner likely to be dangerous in mist or in the dark the Society suggested to the responsible authorities that both for the safety of ramblers and to avoid the risk of the wires being damaged they should be raised on poles or buried.

FOOTPATH IN DOVEDALE. Mention was made in last year's Report of the consideration being given by the Derbyshire County Council to the Society's representations as to the repair of the portion of this path between the "Narrows" and the Stepping Stones near Thorpe Cloud. The County Surveyor intimated that his Council could not accept responsibility for the repair of the path, a decision which the Society asked him to reconsider. Subsequently the Clerk to the County Council indicated that the state of the path could not be regarded as serious and his Council was of the opinion that the present was not an opportune time to raise the question of his Council's liability to maintain the footpath having regard to the notoriously uncertain state of the law as to the liability for repair of public footpaths. Your Council has informed the Clerk that it was prepared to leave over until a more opportune time determination of the point concerning the County Council's liability for the repair of footpaths in general if, in the meantime, the Council would be prepared to consider on their merits other matters involving the repair of footpaths should any such matters be reported. With regard to the Dovedale path the hope was expressed that should labour become available consideration would be given to its repair independently of any consideration of the question of liability. It was felt that this course could be adopted by the County Council without prejudice and urgent repairs be attended to by that Council without the necessity for the question of liability being considered but the County Clerk has informed the Society that he is not in a position to give the assurances asked for nor could he add anything further to his previous letter.

It may be stated that throughout the matter the Society has been working in close co-operation with other interested

organisations and that the Commons Society has also had correspondence with the Clerk to the County Council. It is apparent that the County Council's refusal is not on account of the expenditure involved, as the National Trust offered to contribute £50 towards the expense, which was estimated to amount to £100, and an anonymous offer of a further £20 was made to the County Council.

This question of liability will sooner or later have to be decided but unless your Council is forced to do so by the subsequent attitude of highway authorities on this question at the moment it is not proposed to seek a legal decision to determine the point at issue. Your Council is firmly of the opinion that matters involving repair could be sympathetically considered by highway authorities without prejudice to the question as to whether they are liable or not, and your Council is hopeful that this course will be followed by highway authorities in manner similar to the decision taken by the Hale Urban District Council in regard to the repair of the path along the River Bollin dealt with later in this Report.

MANIFOLD RAILWAY TRACK FOOTPATH. A portion of this path has been closed under the Defence of the Realm Act—the result being that the track has been cut into two. Representations were made by the Society with a view to an alternative path being granted and with the help of the Staffordshire County Council and by the gift of a footbridge an alternative for portion of the closed track has been made possible.

FOOTBRIDGE AT BROOMYCROFTHEAD, WILD-BOARCLOUGH.—In view of the decision of the Macclesfield Rural District Council (referred to in last year's Report) not to proceed with the re-erection of this footbridge, to the cost of which the Society had agreed to contribute one-half, your Council decided to undertake the work provided the land-owner's consent could be obtained. It was unfair that the burden of making this path of use to the public should fall upon the Society, but as it was apparent that otherwise the bridge—which has been missing since before 1935—would never be erected, your Council came to the conclusion that it would be in accord with the members' wishes if the matter was brought to a conclusion without any further delay. Had the bridge been erected when representations were originally made by the Society the cost would have been very small, but, unfortunately, costs have risen considerably, and it was found that a new

structure could not be erected for less than £32. The consent of the landowners having readily been given, the estimate was accepted and the work put in hand. It is anticipated that the bridge, which will be a substantial one, will be in position by the time this Report is published. The cost of the bridge will be borne by the Special Reserve Fund and if Members and Clubs, in appreciation of this work on their behalf, forward any donations towards the amount incurred such donations will be credited to the Special Reserve Fund.

FOOTBRIDGE OVER LADYBROOK, HAPPY VALLEY, BRAMHALL.—Following the representations made by the Society, the Hazel Grove and Bramhall Urban District Council has erected a very substantial footbridge to replace the missing bridge on the footpath from Bridge Lane, near Wallbank, to Bramhall village. From the tablet on the bridge it would appear that it has been presented by Councillor Ashworth, J.P., a gift that will be much appreciated by the many members of the public who use this path.

During the Summer a landslide occurred on the path about 100 yards east of the bridge with the result that a large tree fell into the brook taking with it about 20 feet of the path. The District Council has now repaired the path.

FOOTPATH ALONG RIVER BOLLIN, FROM HALE TOWARDS PIGLEY STAIR BRIDGE.—The attention of the Society was called to the serious condition of this path along the River Bollin, parts of the path being only two feet in width. As in wet weather the path was slippery, its use was not without danger. Suggestions were made to the Hale Urban District Council that, having regard to the erosion that was taking place and to the immediate difficulties of undertaking any major work in the strengthening of the river bank, a way out of the present difficulty would be to arrange for the path to go inside the fence parallel with the narrow parts of the path; this would remove the danger to the public and the question of the effective repair of the bank could be left in abeyance. The District Council took the matter up with the Cheshire Rivers Catchment Board, but that Board after viewing the site declined to accept any liability for the state thereof. In view of this decision the Clerk and Surveyor to the District Council had an interview with the owner of the land co-extensive with the dangerous portions of the path, and having obtained his consent the Council has instructed the Surveyor to clear the undergrowth affecting the path and without in any way damaging the character of the

path to level the same where necessary and improve as far as possible the dangerous places complained of. In agreeing to undertake this work the District Council made it clear that it was not accepting liability for the repair of the path.

FOOTPATH FROM MOBBERLEY TO OLLERTON.—The footbridge carrying this path across Pedley Brook has once more disappeared and the brook is consequently impassable. The Bucklow Area Advisory Sub-Committee has been asked to erect the footbridge and its attention also called to three obstructions that have been erected on the path.

FOOTPATH FROM LACH DENNIS, NEAR OLDHALL FARM, GOING NORTHWARDS TO HULSE LANE.—In 1938 the attention of the Northwich Rural District Council was called to the condition of this path, which was obstructed at four different places. On receiving a reply that such Council had investigated the matter and was satisfied there was no obstruction to the footpath your Inspector accompanied the District Surveyor over the path, when the latter had to admit that the complaints *were* justified. No action having been taken, and as it now appeared that the grounds of a newly built house covered the path where it leaves the road at Lach Dennis and no provision had been made for the public to gain access to the path, further representations were made to the District Council. The Clerk to the Council informed the Society that his Council were of the opinion that this footpath, judging by the local needs, had not served any useful purpose for many years and there appeared to be no local demand for its retention, and accordingly proposed to take no action for the time being under present circumstances. The need for the path and the duty of the District Council to preserve it, particularly having regard to the fact that the complaints were made nearly four years ago, when the present circumstances had not arisen, were emphasised in further correspondence with the Clerk, but his Council will not take any steps with regard to the path for the time being. Subsequently your Inspector made further investigations and is at present in touch with the landowners concerned. The success or otherwise of his negotiations with the owners will determine what course of action must be taken in view of the refusal of the District Council to carry out its duties to the public.

FOOTPATH FROM MANLEY COMMON GOING SOUTHWARDS TO RAILWAY BRIDGE NEAR WOODSIDE.—In pursuance of the provisional arrangement made some

time ago between the owner of Rangeway Bank Farm and the Runcorn Rural District Council, the diversion, which was approved by your Council, has now been opened out and the small gate left unlocked. In order that ramblers will have no difficulty in finding the new line of path the Society at each turn of the diversion has affixed indicators to show the direction of the path. One of the Society's new "Please shut the gate" plates has been affixed to the small gate and it would be helpful if the public would at all times comply with this little request in order to avoid the possibility of damage by straying cattle.

FOOTPATH LIBRARY.—The following additions to the Society's Footpath library of books and maps housed in the Special Collections Department of the Manchester Central Library have been presented during the year :—

- Sheffield Clarion Ramblers' Handbook 1941-42.
- C.P.R.E. (Sheffield and Peak District) Report 1941.
- "Homage to Cheshire," by Hedley Lucas.
- Rucksack Club Journal 1941.
- "On foot through the Peak," by James Croston.

FINANCE.—The Council is pleased to record Membership income as showing an increase on 1940 of £3 2s. 4d. ; it also acknowledges with gratitude a payment of £4 5s. 0d. from the Stockport Field Club against Signposts—making a total increase of income of £7 7s. 4d. There has been a reduction in expenditure amounting to £5 6s. 6d. After the cancellation of the 1939 deficit of £26 7s. 5d. there still remains in hand a small balance of 12s. 1d. at the end of 1941.

The reduction in expenditure is mainly in connection with the erection and maintenance of Signposts, the cost of which has shrunk from a pre-war average of approximately £20 to £1 10s. 6d. At the conclusion of the war the Society will be faced with a substantial expenditure on this and other accounts. It is incontrovertible—in view of the number of paths now being closed under Defence and other regulations—that quite considerable and close investigation will be necessary to restore the use of them to the public. It must not be overlooked that the *standard* basis of Annual Income will be insufficient to meet the cost of undertaking this essential work. Only if the good offices of the Members can be enlisted to add to the number of subscribers will the Society be able to meet these costs and still maintain a balanced account. In the meantime the Council has

decided that it would be a wise policy to create a Contingency Fund to meet this non-current expenditure, and, subject to the approval of the Members at the Annual Meeting, an annual sum to be agreed upon will be transferred to such a fund from the General Account.

The Defence Fund has been augmented by £12 7s. 6d. during the year, and now stands at £311 14s. 8d.

MEMBERSHIP AND AFFILIATION.—The terms of membership are simple, involving no formalities other than the payment of a minimum subscription of 2s. 6d. per annum which entitles a member to receive a copy of the Annual Report together with any information which it may be within the Council's scope to afford. It must be emphasised that in fixing the minimum subscription the Society has in view the desirability of obtaining the fullest possible public interest and that the revenue derived from *minimum* subscriptions is inadequate to meet the needs of the Society's operations. The Secretaries of Rambling and kindred Clubs can perform meritorious service by bringing to the notice of their members the objects and claims of the Society *and urging individual membership.*

The minimum Affiliation Fee for Clubs and Societies is 10s. 6d. per annum which includes the privilege of appointing a Delegate to attend the Council's meetings.

Affiliated Rambling Clubs & Societies

Accrington Naturalist & Antiquarian Society.
Art Museum Field Club.
Ashton-under-Lyne & District C.H.A. Rambling Club.
Barnsley C.H.A. Rambling Club.
Bolton C.H.A. Rambling Club.
Bramhall Ratepayers' Association.
Camping Club of Gt. Britain & Ireland (L.C. & N.W. District Association).
Central Rambling Club.
City News Fellowship (Ramblers Section).
Co-operative Holiday Association.
C.P.R.E. (Buxton & District Area Committee).
Comradeship of the Christian Endeavour Holiday Homes (Manchester Sec.)
Comradeship of the Christian Endeavour Holiday Homes (Stockport Sec.)
Crescent Rambling Club.
Derby C.H.A. and H. F. Rambling Club.
Derbyshire Footpaths Preservation Society.
Field Naturalists & Archaeologists Society, Manchester.
Friendship Holidays Association Manchester Rambling Club.
Hallamshire Footpaths Preservation Society.
Holiday Fellowship Limited.
Holiday Fellowship (Oldham & District Group).
Holiday Fellowship (Manchester Group).
Manchester Amateur Photographic Society.
Manchester C.H.A. Rambling Club (Section "A").
Manchester C.H.A. Rambling Club (Section "C").
Manchester C.H.A. Rambling Club (Section "D").
Manchester C.H.A. Rambling Club (Section "E").
Manchester C.H.A. Club.
Manchester H.S.C. Languages Rambling Club.
Manchester Pedestrian Club.
Manchester Rambling Club.
North Manchester Harriers & A. C. Rambling Section.
Oldham & District C.H.A. Rambling Club.
"R" Club.
Ramblers Association (Sheffield & District Federation).
Ramblers' Federation (Manchester & District).
Rochdale Field Naturalists Society.
Rucksack Club.
Sheffield C.H.A. Rambling & Social Club.
Sheffield Clarion Rambling Club.
Stockport C.H.A. Rambling & Social Club.
Stockport Field Club.
Stockport Seconians Association Rambling Club.
Sutton-in-Ashfield & District Rambling Club.
United Field Naturalists.
Vegetarian Society Social & Athletic Club.
Willersley Sidholme & Sidestrand Ltd.
Workers' Educational Association (Rambling Section) Stockport.
Workers Travel Association Ltd.
Y.M.C.A. Rambling Club.

Peak District and Northern Counties Footpaths Preservation Society
STATEMENT OF INCOME AND EXPENDITURE FOR THE YEAR ENDING 31ST DECEMBER, 1941