

Peak and Northern Footpaths Society

1894 - 1978



ANNUAL REPORT 1977-78

PEAK AND NORTHERN FOOTPATHS SOCIETY

Founded in 1894; Manchester Association Founded 1826

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FOREWORD

Last year we drew attention to an apparent disposition of Government to weaken the legal framework defending footpaths and their users, and pointed to recent enactments that denied individual objectors the right to an inquiry or hearing. We have since learnt that the Council for Tribunals noted the same tendency in their 1974-75 Report, where they deplored "A trend, observable in recent legislation, to curtail the rights of affected persons to be heard in connection with orders for the suspension of rights over property" which "greatly concerned" them. Government has more than once refused to widen the opportunities for individuals to act when local authorities refuse to do so in defence of footpaths. A notable recent example was the deliberate refusal by the Home Office to amend the Criminal Law Act 1977 so as to make it clear that it would not endanger the citizen's legal right to remove an obstruction found on a right of way.

These points are enlarged upon in the Commentary and it is clear that the militant individual objector will get no encouragement from Government. Our village Hampdens are no more popular in the Palace of Whitehall than they were in the days of the Stuarts. It may be that we are paying the price for excessive militancy in certain instances, but the tendency to erode individual rights is disturbing and affects much wider interests than ours. But fairness compels us to add that a body wholly composed of civil servants—the Countryside Review Committee—has suggested that individuals might, in the last resort, be empowered to act against farmers who fail to reinstate footpaths after ploughing. "Few local authorities", they say, "seem prepared to act against this anti-social practice."

Some, indeed, are reluctant to act at all in footpath matters as Mr. P. J. Newman discovered in his dealings with the Hereford and Worcester County Council. Mr. Newman achieved fame in footpath circles by his persistent but partly abortive attempts to use the Highways Act 1959, S.59 to force the county to deal with obstructions. More recently he has complained to the Local Government Ombudsman of maladministration by the County in respect of 77 paths! Eventually twelve representative cases were selected for investigation and the Ombudsman, Mr. D. B. Harrison, found maladministration in eleven of them. He cautiously observed that it might also have occurred in some of the remaining 65 cases and added that the County would "no doubt wish to examine these cases and decide what action should be taken on each".

The cases examined included long delay in erecting promised signposts, failure to restore a footbridge and to remove obstructions and deterrent notices, failure to act when the width of a path was reduced from six to four feet and to replace missing signposts. Extreme dilatoriness in replying to letters was a feature of most of them.

In the course of a critical general commentary Mr. Harrison pointed out that in most of the twelve cases landowners were responsible for doing the relatively minor repairs required and it was the County's statutory duty to ensure that they did them. The administrative cost, in his view, would not have been very high. But, he said, "the County Council appears to have spent more time and money fending off the complainant than would have been required to write to the landowners requiring the necessary work to be carried out." After alluding to the possibility of modification schemes, he added "The County Council will no doubt consider whether or not the resources devoted to the necessary administrative work involved in such schemes would be better devoted to ensuring that the existing network of public paths is well maintained signposted, way-marked and suitably drawn to the attention of walkers". Maybe he had in mind the highly expensive exercises undertaken by certain counties.

Referring to a case in which a path was severed by construction of a water course, the Ombudsman said "I am satisfied from the information arising from the investigation that the County Council's officers regarded it as proper to frustrate the intention of the complainant because it was felt he did not represent the great majority of walkers within the local area. the officers should not have decided to thwart the complainant by taking no action on the matter, which involved a clear breach of the law, without the issue being considered by the appropriate Committee."

The sorry picture that emerges is one of officials more sympathetic to landowners than to the public and disinclined to defend footpath rights. But did Mr. Newman's militancy provoke this unhelpful attitude? In our view the reverse was true; official reluctance to act preceded the rise of militancy by at least twenty years. It is refreshing to find that the Local Ombudsman is a man who still expects a high standard of behaviour from officials and appreciates that people other than locals have a legitimate interest in footpaths.

FRANK HEAD

COMMENTARY

Arthur Smith Memorial

It has been agreed that a view finder and plaque should be erected on Shutlingslow when arrangements for a public path over the summit have been completed, but the negotiations are taking a long time. The subscription list was closed at £175.

White Peak Map

We are pleased to hear that the Ordnance Survey are preparing an Outdoor Leisure Map of "The White Peak", centred on Bake-well, to complement their well-known 2½" map of the Dark Peak. They hope to incorporate the results of current surveys in the area, and the map is therefore not expected to appear until the early 1980s.

"Footpath Worker"

All four parts of FW Volume 3 are now available from the Ramblers' Association, 1—4 Crawford Mews, York Street, London W1, price £1 for the set. Extracts from parts 1 and 2 appeared in last year's Report and what follows is mostly taken from parts 3 and 4 issued in April and September, 1977. HA signifies the Highways Act 1959, S, Section, DOE the Department of the Environment, and SOS the Secretary of State.

Removal of Obstructions. Beware!

It has long been lawful for *bona fide* users of a public path to remove just so much of an obstruction as is necessary for them to get through, but recent legislation has made this a potentially hazardous proceeding. Part II of the Criminal Law Act 1977 S6 makes it an offence punishable by imprisonment for up to six months, a fine of up to £1,000, or both, to use or threaten violence without lawful authority or excuse for the purpose of securing entry into any premises. "Violence" may be against a person or against property, and "premises" include land adjacent to any building or mobile residence, boats included, and used in connection with its occupation. The only defence under S6(3) is to prove that you are, or are acting for, a displaced residential occupier, and the rights of all other persons are declared under S6(2) not to constitute lawful authority.

So it appears that a ramble removing an obstruction on a right of way where it enters a garden or a field near to farm buildings will run the risk of prosecution and dire penalties, though it will have to be proved that he knows that there is a farmer or householder on the premises who objects to his use of the way.

We must emphasise that this is no accidental consequence of bad drafting, but a deliberate erosion of the former rights of path users—and under a Labour Government at that. The Law Commission, who proposed this new legislation to deal with squatters, argued that a belief that you had a legal right of entry should be a defence, but their advice was disregarded.

Following representations by Mr. E. Lyons, QC, MP, on behalf of the Ramblers' Association, Mr. B. John, Minister of State at the Home Office, explained in a letter why no exemption would be put forward for users of rights of way. He wrote "It seems to be unlikely that the offence will often catch a rambler. I fully accept that the obstruction of a right of way is a serious matter but I am not satisfied that it would be right to encourage a direct and violent response by a member of the public in those circumstances by an exemption in clause 6". So this means us.

FW comments "Thus the law appears to be protecting the criminal who obstructs the highway against the citizen exercising his hitherto legal rights". The potential penalties for what the courts might deem to be violence are, of course, far higher than those for obstruction and we very much doubt whether any rambler who is caught may expect the lenient and often derisory penalties inflicted on obstructors of paths. This is yet another example of the lack of sympathy in high places for footpath users, and the disposition to weaken existing safeguards when opportunity arises. But wire cutting is not to be recommended anyway as a means of dealing with obstructions. A determined landowner will always replace it.

Revised Draft Maps

In our last Report we stressed the importance of inspecting all revised draft maps at the earliest opportunity, since errors, including path omissions, cannot be corrected at any later stage, and must remain until the next review at least five years on. The first revised draft should be compared with the existing definitive map in case any paths have been omitted, and any desired additions should also be claimed at this stage. Non-definitive map paths shown on the OS maps are potential candidates for addition if the necessary evidence of use is available. We understand that Cheshire is working on its first review, but no map has appeared yet.

Bull Byelaws

The Government has still made no pronouncement on the complicated recommendations of the Advisory Council for Agriculture and Horticulture which were described in our 1975-76 Report, but in reply to a question Mr. Andrew Bennett MP (Stock-

port N) was told that a key element in the Advisory Council's package of recommendations was the temporary diversion of footpaths which would require legislation and parliamentary time for it has yet to be found. No early announcement is therefore to be expected and existing byelaws remain in force meanwhile.

Withdrawal of Orders

We reported last year that the DOE had ruled that a local authority cannot withdraw an opposed order and, despite representations, the ruling stands since it appears that there is no statutory power for withdrawal. However, the SOS at his discretion, can agree to a request not to confirm an order from the authority, and has in fact done so in all recent cases.

Council on Tribunals

The Council's Annual Report for 1974-75 expressed its concern about a "trend observable in recent legislation, to curtail the rights of affected persons to be heard in connection with orders for the suspension of rights over property". They were consulted about the Offshore Petroleum Development (Scotland) Act 1975 which provides for the summary extinguishment or overriding of private and public rights over land acquired under the Act, *without entertaining representations* or holding an inquiry, and pressed strongly for inquiries to be held, but the Government would not give way.

They were also consulted about the Coal Industry Act 1975 which made inquiries into the suspension of rights of way discretionary so that an inquiry was not obligatory if objections were only received from private individuals, but secured only a guarded undertaking to hold an inquiry where there was a considerable weight of objection from various sources.

A Ploughing Conviction

A farmer who failed to give notice of intention to plough a path and did not reinstate it was fined the maximum amount of £10 on the first count and £15 on the second, plus £15 costs at Bromley Magistrates Court. The Acting Borough Engineer said it was a satisfactory conviction and added that the information when more widely known should assist with future enforcement action.

Path Statistics

In 1974-75 we reported a sharp rise in the total number of HA S110 and 111 orders and that the ratio of diversions to extinguishments was more than 3/1 in 1973. The latest figures for 1976 show a steady rise in diversion orders to more than twice the 1960s figures, but only a small rise in closure orders. Creation orders (very

rare birds) have also increased slightly of late. Orders made under the Town and Country Planning Act have fallen below the peak reached in 1972-73, but remain higher than in the 1960s. The percentage confirmation rate has tended to fall and is generally lower for extinguishments (55%) than for diversions (72%).

Rights of Way Evidence

Under the Finance Act 1910 the value of all land had to be assessed by the district valuers, and their Field Books contain useful evidence of rights of way in existence at that time, since any public right was held to reduce the value. To obtain evidence from this source you should first go to the County Record Office and ask to see the 6" working maps used by the valuers. From these you can get a list of the owners of the route of the path in question, and the next step is to ask the District Valuer to make available the relevant field books.

F.H.

SIX OF THE BEST—

1977's highlights—reviewed by Don Lee, Closure and Diversions Secretary

1977 was quite a year—as our campaign to publicly expose footpath-grabbers gathered momentum in the media, in the courts and at Inquiries. Here are six of the more spectacular battles we finally won during the year, often after long and noisy campaigns, that had individually been going on for up to five years previously.

Fiddling and arbitrary footpath alterations designed to promote private interests of one sort or another—or to be really uncharitable designed perhaps, to keep some local government officers in employment, are a time wasting nuisance and we were glad to get a decision in a **Macclesfield Borough Council** case which in no uncertain terms laid it down that privacy and security are not reasons to meddle with the footpath system. The Council had proposed the diversion of FP13 Bollington in the vicinity of Dawson's Farm, Kerridge (GR935768) a converted farmhouse. The locals were up in arms which helped when matters came to a head at a public inquiry although here I am really concerned with what the Secretary of State said in his decision (DOE ref: PNW/5148/151/3) which is of special importance since he refused to accept the inspector's recommendation that the diversion should be implemented. He wrote: "The Council made the order as they had been satisfied by Mr. Laycock of Dawson's Farm that the paths should be diverted for securing the more efficient use of the land. On examining the evidence put forward at the inquiry the Secretary of State considers that the primary reason for proposing the expediency of confirming the order relates to the effect of the use of the path on the privacy and security of the occupiers of Dawson's Farm. This has not been shown to be so detrimental or incapable of other remedy for the Secretary of State to be satisfied as to the expediency of diverting the path on these grounds. An order must stand upon the ground given for making it and the Secretary of State considers that the order does not do so in this case". Quite so, too, and I hope not only Macclesfield Council but Cheshire County Council, as a Highway Authority, take due note.

Footpath orders made under the provisions of the Town and Country Planning Act 1971 are difficult to resist successfully and therefore when we won two cases against **Staffordshire Moorlands District Council** it was especially notable.

Leek FP 29 (GR985557—987557) known locally as "The Ladydale Path" was proposed for closure so that Price Bros. (developers) could add it to gardens and make people walk instead along a boring estate road. The builders incurred the wrath of local people in interfering with the path without authority and this anger crystallized positively into the formation of an independent Leek Footpath Society—a much needed group in a rather neglected outpost of the Peak and Northern's area. They performed very well at the inquiry and convinced the Department of the Environment that it would be wrong to close the length when with a little co-operation and goodwill the path could be narrowed slightly and still left for walkers to enjoy. This has now been done though perhaps we should not be too hard on the Council for had it not been for their initial indifference to the footpath, we should not have the benefit today of an active local footpath group.

(Incidentally, Price Bros. were involved along with Wigan Metropolitan Council in the notorious "connivance" case over Shevington FP8c (GR547091—547089), the saga of which Derek Taylor relates elsewhere in this annual report.)

Forsbrook FP20 (GR957407—958405) was the other TCPA application which no doubt caused **Staffordshire Moorlands Council** and Mansell-Youell (developers) some anxious moments, especially since at the time it looked as if an offending house built over the path, known locally as Boggs Lane, might have to come down. Here, in contrast to the situation at Leek where we worked with footpath enthusiasts to gain a victory, we worked with local people more concerned at exposing administrative incompetence and in ensuring that both the Council and the developers pay more respect to the rights of individuals. The Council and the builders wanted to shut Boggs Lane and make pedestrians trek round the estate road for 400 yards because they said it was not possible to put a path round the offending house. After the inevitable inquiry and its adverse publicity for them, we awaited the result with especial interest and were not disappointed. The Secretary of State ruled that Boggs Lane had to stay which concentrated the builders' minds remarkably. They discovered after all that the impossible was possible which means that the path and the development can co-exist. The two inquiries had left their mark and members will be glad to know that as a sensible sequel to these clashes the Council have recently introduced an early warning footpath consultation scheme to **everybody's benefit**.

Although by the very nature of our activities we find ourselves fighting a rearguard battle against local authorities, on occasion we do cooperate with Councils to stop mindless footpath closures. There were two remarkable examples of this in 1977 when we

assisted **Greater Manchester Council** in their very commendable performance as a Highway Authority who, like the rest of us, considered that **Bolton Metropolitan Council** were badly overstepping the mark in attempting to get rid of two most useful footpaths as "not needed for public use" when all the facts proved otherwise.

Bolton FP 217 (GR681097—682093) was a field footpath connecting two main roads, Chorley New Rd. and Victoria Rd. in the high-class suburb of Heaton. Bolton Council as one-time landowner of the field had divided it into large individual building plots and considered that the nobility who were going to pay £35,000 and upward for a new house would prefer not to have their views spoiled by the lower forms of life who use footpaths. They arranged for quite an array of legal skill to concoct a case against the path remaining at the two-day inquiry but the peasants came along in force, and in true 1826 Flixton fashion, right prevailed over wrong so that the path will stay. The case did however graphically and alarmingly demonstrate how the ambition of a landowner who happens to be a local authority can over-ride what should be a prime duty to protect rights of way.

The very contentious FP384 at Ten Acres Farm, Wingates, and its proposed closure as "not needed" was a pretty tough and sustained affair and we were specially glad that GMC were there to assist in retaining the path even though it should have been patently obvious that Bolton Council were backing a loser right from the very start. The path connected Wingates Lane to Ten Acres Farm (GR653078—653082) and besides leading to other paths at either end was used by Westhoughton people as a path on the traditional route for their Good Friday pilgrimage to Rivington Pike. Also the only alternative was by a narrow and winding road without a pavement, where there had been previous accidents and indeed in view of the Kettering tragedy, much of our evidence in favour of retention emphasised the safety aspects and the need to retain the sanctuary of the path.

It was the old story with all the familiar ingredients—a run-down farm with new owners, horses put into a field where there was a path, desire for privacy and security when the farm was rebuilt inability by owners to appreciate the needs or respect the rights of walkers, a Council willing to go to great lengths to promote a private interest while turning a blind eye to the law on footpaths, a society willing to go to even greater lengths to resist an anti-social closure. The result was also true to form—interest in footpaths rekindled locally and mobilised to resist further closure attempts, a pre-inquiry walk which despite the worst possible weather—freezing

fog, visibility three yards and sleet—attracted 20 local participants on the sort of bleak and dark December day reserved for masochists. The three-day inquiry was a flash point for pent-up feelings on both sides and was a watershed in the Society's experience of insensitive and arrogant closure attempts as it became clear that what was really at stake for Bolton was their right to deal with footpaths as they had in the past before local government reorganisation (i.e. by the arbitrary local act which stifled effective opposition) which was being challenged by their new "bosses" on highways, GMC. The local evening paper had plenty of good copy spread out over a week and again when the result was announced, whilst the total cost to the Bolton Council (up to £4,000) for the whole negative charade was a lesson for them. To be fair, though, they are now adopting a much more reasonable attitude to footpaths.

Finally, I want to deal with the mystery of Full Pot Lane, Bamford and the bizarre performance of **Rochdale Metropolitan Council** who, for five years tried various methods to get rid of the track (definitive FP E36) from Clay Lane to Greenvale (GR862135—862137) so that their Estates department could hand out bits of its grassy width to certain residents with houses on Bramley Road, to enable them to enlarge their gardens. Back in 1972 the then Rochdale Council used their iniquitous Rochdale Improvement Act of 1872 to get rid of the lane but the fuss we kicked up resulted in the Council searching its conscience and dropping the application.

Then things started to happen behind the scenes over a prolonged period. First one committee decided that the path would have to go whilst another one thought it should stay. There were allegations that the minutes had been bungled. There were petitions and counter-petitions flying around about closure/retention from local residents and the issue became a political football. Local government reorganisation came and went and still the controversy dragged on mostly behind closed doors, though the local press did what they could and snippets of news appeared at intervals. Then in 1975 the Council tried to use the magistrates court to push through the closure. Once again we raised the roof in the media and demanded that if the council were still so misguided as to want the closure of a path which was used with the declared and anti-social purpose of selling bits of it off, then in view of the controversy it would be only right and proper for the path's future to be the subject of a full scale public inquiry. By this time the council was very touchy and somewhat embarrassed by the adverse publicity Full Pot Lane was attracting and once more the closure attempt was withdrawn.

Again there were more behind-the-scenes moves—clearly someone had a grudge against the old lane and so in 1976 the closure was advertised once again under S.110 of the Highway Act

1959, as "not needed for public use". At least this method of closure does give objectors the right to be heard at a public inquiry and the fact that we had successfully got this far and overcome a local act and a magistrates court application was no mean feat in itself. The inquiry was held in 1977 and the customary pre-inquiry walk we organised was very well supported locally. The inquiry was notable on two counts; firstly, because it was the first one ever held into the closure of a Rochdale footpath and secondly, for several pertinent and close questions posed by a local objector which suggested that the Council was placed in an unfortunate position by having an employee who lived in Bramley Road, and who worked in the estate dept. Luckily for us—and perhaps for the Council too—the Secretary of State ordered that the path should remain. A fitting end to a five-year conflict and a fitting place to end this years' review.

THE DEMISE OF SHEVINGTON 8c

"A footpath which used to meander through the middle of a field now runs through four houses and twelve gardens" So reads the opening paragraph of a press report on a Wigan Magistrates Court hearing in November, 1977 when the Wigan Metropolitan Council sought to close footpath 8c at Shevington using the infamous HA sect. 108. Some years previously the same path, along with others adjoining had been the subject of a Public Inquiry but the Minister had refused to grant a closure order on this particular path. So it was then that 8c came before the court accused of being 'unnecessary'.

The case against closure presented by the Society was angled in such a way as to totally involve the Magistrates in the action and this was achieved by our claiming in court that the Magistrates were being 'used' by the Local Authority to make legal an illegal act. The houses had been built, we said, there was a clear case of illegal obstruction and the Council were asking the court to grant a closure order to make the whole thing legal again. We deplore this gross misuse of the law we told the Magistrates. Regretably, this is not an isolated case, we said, it is happening regularly, builders are stopping up paths by erecting houses over them whilst the councils, who are the custodians of the country's footpath system stand idly by doing nothing.

Their worships retired and returned after 1½ hours to say that they were not at all satisfied with the case and would adjourn to allow time for an alternative route to be legally adopted.

At the resumed hearing the Council gave evidence that the alternative path (using estate roads) was now legally available and their worships retired again.

It was on their return that it quickly became apparent that this was to be no ordinary 'run of the mill' closure order, for the Presiding Magistrate came armed with a prepared statement, copies of which were distributed to the Press. Such a statement is unprecedented in our experience of footpath cases and so we reproduce the major part of it as an encouragement to footpath workers and a warning to those Councils who suffer from the dreaded 'build first and ask questions later' syndrome.

The statement begins "This application is by the Wigan Metropolitan Borough Council who ask this court to say that a footpath, etc."

" Our decision today is that, as there is now an available alternative, footpath 8c is unnecessary and may be closed."

So it was that on a January morning in Wigan, Shevington 8c was laid to rest for all time, but be assured it did not perish in vain.

DEREK TAYLOR

STATEMENT BY MAGISTRATES

This application is by the Wigan Metropolitan Borough Council who ask this court to say that a footpath known as "footpath 8c" at Shevington is unnecessary and that it can be closed. The evidence we have heard indicates that, far from being unnecessary, a footpath connecting the terminals of footpath 8c is still required, but the line of the footpath has already been obstructed by the building of houses and the allocation of gardens along the greater part of its length. We have been asking ourselves whether there is any point in giving authority today for the closure of a path that, rightly or wrongly, has already been effectively closed.

We have been told that the question of diverting footpath 8c was considered in a Ministerial enquiry before 1974 but on that occasion no authority was given for its diversion. That information tells us two things, that there was no permission for closing the path, and also that the attention of everyone concerned had been drawn to the matter. That being the case we cannot believe there is any excuse for ignorance of the true position.

It seems quite extraordinary that, in view of that decision, the footpath has been obstructed by the development of the land and the building of houses. That can have happened only with the connivance of a local authority which has its own staff of legal advisers, by the action of a company of builders which no doubt has its own legal advisers, and, so far as the purchasers of those newly built houses were concerned, after the purchasers' solicitors had investigated the title to the land. Everyone seems to have allowed the building to go ahead and the footpath to be obstructed without regard to the rights and to the convenience of people wishing to use the footpath.

We are told that a prosecution could have been brought under section 121 of the Highways Act 1959 for obstructing the footpath, but that no such prosecution was brought. Even if there had been such a prosecution we cannot believe that even the maximum penalty of a £50 fine would have stopped this commercial development of the land, though it would have demonstrated public condemnation of a flagrant breach of the law and the obstruction of a right of way. The fact that no prosecution was brought does not, however, condone any unlawful obstruction.

We are now asked to give judicial approval to everything that has happened by saying that the footpath can be closed. We are told that the path is unnecessary because an alternative is available to pedestrians who wish to walk from Coach House Drive to Longbrook. Another extraordinary feature of the matter is that even at the last hearing we were given no assurance that the path was going to be available as a public footpath. Part of the land, we were told was still in private ownership. We adjourned the application so that proper steps could be taken and an assurance given about the availability of that alternative route.

We have now been informed that the alternative route runs along a path which was yesterday adopted by the Highways Authority and its perpetual use as a footpath over which the public have a right of way is assured.

We have the situation that a footpath, which is manifestly required, has been obstructed and can no longer be used. If there had been proper consultation before the building started we have no doubt that the court would have required a more direct alternative than the one at present proposed. That could have been done if action had been taken at the right time by reserving land for a path between plot numbers 103 and 104. We appreciate that until proper legal authority exists for the abolition of the footpath, the owners of the newly built houses are in difficulty because of the existence of a right of way existing across their land. That fact must have been known or ascertainable at the time they were buying, if proper enquiries were made through a solicitor. The householders may have been unwise, or they may have been mis-led, but we think it is desirable that the uncertainty should not be allowed to continue any longer. We are therefore prepared to make the order, but we repeat that we consider it reveals a highly unsatisfactory disregard of the rights of way that existed before the development started.

We consider that the Footpaths Societies were right to bring this matter into the open and to draw attention to, what appears to us, a very clear disregard of the law by a number of people, legally advised, who should have known better. We compliment the Footpaths Societies on their persistence and on their reasonableness in presenting this objection. If it were within our power to order payment of their costs we would readily do so.

Our decision today is that, as there is now an available alternative, footpath 8c is unnecessary and may be closed.

5th January, 1978

OUR ANNUAL DINNER

For those of us who listen to the "Outsiders" on Radio Manchester, it certainly was a breath of fresh air that came into the Albion Restuarant in the shape of our Guest Speaker—Clive Price, the popular producer of this out-of-doors programme.

It is always a very pleasant experience to enjoy a well cooked and presented meal amongst the pleasant atmosphere which our members create, and then to sit back and relax whilst listening to our guest of the evening.

As is usual, after the formal conclusion of the event, many members extend their stay to chat and renew friendships of many years standing, and then to look forward to the next year's Annual Dinner.

L.G.M.

A ONCE A YEAR JOB

Our Membership Secretary, (Mrs. Pat Bramwell) would like to hear from a member or members, who live in the Stockport area, and who would be prepared to assist with the addressing of envelopes for the circulation of the Annual Report.

MID-WEEK WALKS: APRIL—SEPTEMBER, 1978

The mid-week walks are in conjunction with the footpath survey conducted by Mr. H. Lees. All the walks are of a moderate nature, and further details can be obtained from Mr. H. Lees, 32 Ashley Road, Stockport SK2 5BH. Tel: 480-2961.

April 12—ASHLEY. 10.00 train from Oxford Road Station. Book Ashley return. *Leader:* Jack Baker (will meet the party at Ashley).

May 10—GLOSSOP. 10.12 No. 125 bus from Piccadilly. *Leader:* Norman Ings (will meet party at Glossop).

June 14—CHEADLE HULME to HIGH LANE. 10.05 No. 232 Bus from Chorlton St.—Book to Cheadle Hulme Station. *Leader:* Jack Matthews (will meet party at Cheadle Hulme)

July 12—MEDLOCK VALLEY. 10.04 No. 82 Bus from Piccadilly. Book to Hollinwood. *Leader:* Ted Jessop (will meet party at Hollinwood).

Aug. 9—DEAN & BOLLIN VALLEYS. 10.05 No. 190 Bus from Piccadilly. Book to Woodford. *Leader:* Don Haigh.

Sept. 13—PRESTWICH to BURY. 10.10 No. 35 Bus from Cannon St.—Book to Grand Lodge. *Leader:* Arthur Eaton (will meet party at Grand Lodge).

SIGNPOST SUPERVISOR'S REPORT FOR 1977

Early in the year the new Sale Memorial signpost was assembled and transported to Ilam YH where it was pointed ready for erection by Leslie Meadowcroft and Harry Gilliat.

The Nash Memorial signpost was produced and taken to Frodsham for erection by the Mid-Cheshire Society.

Considerable time and mileage were expended in trying to find a suitable site for the Norman Redford Memorial signpost. The site eventually chosen, near Flash, was suggested by Leslie Meadowcroft. The nearby farmer approved but approval has not yet been received from the local Highway authority.

Two signposts, one at Burbage and one at Lamaload, have been provided and erected with the help of Buxton HF and CHA Rambling Club members. Another signpost is ready for erection on behalf of Altrincham CHA Rambling Club. There have been some delays in obtaining the plaque for all three posts.

The Braille plaque for the "blind" signpost on Gun Road, has now been replaced after many delays. Macclesfield RA have helped with the repair of signpost 104.

With the diversion of the footpath at Shutlingsloe to pass over the summit, as part of the Arthur Smith memorial, some alteration to the signposts is necessary. Two signposts, now redundant on this path have been retrieved by Leslie Meadowcroft and Harry Berry for overhaul and modification.

The signpost from Otterspool Bridge, uprooted and severely damaged is now in my possession for renovation and repair.

Authority has been granted for the erection of signposts at Walker Barn, Ballgreave Farm, Greenways Farm and Chapel House Farm which are all in the Macclesfield area, but no action has been taken on these as yet.

I have been in touch with Derbyshire CC and they are now agreeable to the erection of signposts by voluntary bodies (us) in their territory. A request was received recently for another signpost to be erected on the slopes of Lose Hill. I am now awaiting authority for this.

FRANK MASON

FOOTPATHS REPORT FOR 1977

Cheshire

Bollington F.P. 13 (Macclesfield D.C.). See Closure and Diversion Secretary's Article.

Croft F.P. 7 (Warrington New Town Corporation). The D.O.E. under S.23 New Towns Act 1965, have confirmed this partial stopping-up order (and the creation of a 'permissive' path until an alternative—which might be along estate roads—can be granted) without giving us the chance of a Public Inquiry. This is a further illustration of the need to abolish S.23 as soon as possible.

Disley F.P. 40 (Macclesfield D.C.). The Secretary of State confirmed this diversion after a Public Inquiry in June, despite the Inspector's criticism of Macclesfield D.C. who attempted to substitute a variation to the order and introduced it at the Inquiry without prior advertisement. We have written to DoE. However, due to technical errors it has to be readvertised in 1978 and this may mean a further Inquiry.

Marton F.P. 7. Although this is not within our normal area it is an important case since CCC's whole recreational strategy of FPs was challenged at a Public Inquiry for the first time by the RA and by the Closure and Diversion Secretary acting in a personal capacity.

Mobberley F.P. 11. A diversion for a sports field but other complex footpath matters involved. Formal objection lodged. This is tied in with Mobberley F.P. 13, an extinguishment order for which a Public Inquiry is scheduled in 1978.

Poynton F.P. 71 (Macclesfield D.C.). This Inquiry concerned the Towers Road Estate developed by Barratts. The Council admitted delay and Barratts pleaded lack of knowledge. We argued that it was inappropriate to confirm the order until development completed under T.C.P.A. Case won on a technicality since as houses built on path the Secretary of State says T.C.P.A. S.210 inappropriate. Case readvertised at year end.

Wilmslow F.P. 18 (Macclesfield D.C.). Apprentice House, Styal. The National Trust, after representations from this Society withdrew their application to close this R.U.P.P. where it passes the Apprentice House and will resubmit one for downgrading from R.U.P.P. to bridleway which we will support.

Wilmslow F.P. 57 (Macclesfield D.C.). Inquiry was held on 22.11.77 for an unnecessary privacy diversion on Alderley Edge. Result awaited.

Derbyshire

Killamarsh F.P.s 12—13 (N.E. Derbyshire D.C.). Extensive diversion proposed of paths on to estate roads. Objection lodged.

Killamarsh F.P. 17 (N.E. Derbyshire D.C.) Two day hearing into T.C.P.A. S.210 diversion of a canal towpath on to an estate road. 13 houses built over right of way. Council admitted serious errors in Inquiry. Result awaited.

North Wingfield F.P. 23 (N.E. Derbyshire D.C.). Public Inquiry 21.12.77. Extinguishment for political reasons. Result awaited.

Only Grange, Castleton (High Peak B.C.). A meeting was held with the Peak Park Planning Board when it became apparent that they were doing 'deals' with a landowner. We made our attitude clear on this point.

South Normanton F.P.s 8—20 (Bolsover D.C.). This is the path which passes through a gunpowder factory and has been illegally closed since 1949. Joint objection with S.Y.N.E.D. R.A. At the inquiry it was revealed that a previously unknown 1956 order had effectively closed the paths & the D.O.E. later confirmed the extinguishments.

South Normanton F.P. 20 (Bolsover D.C.). Barratts have built over this path. The Council attempted to use T.C.P.A. but this application was rejected by the Secretary of State. S.111 H.A. is now attempted. The proposed diversion would be an estate road when a semi-rural route is feasible. Objection lodged.

Whitewell F.P. 19 (Bolsover D.C.). Objection lodged to this proposed diversion as there is a possibility of a better length of path being negotiated.

Greater Manchester

Aspull F.P. 47 (Wigan M.B.). Closure granted by Magistrates who criticised Council for the late application—the houses had already been built. Wigan F.P. Society and ourselves had requested the application to be dismissed so that the case for an alternative F.P. could be presented at a Public Inquiry.

Berwick Ave to Harewood Road, Heaton Mersey (Stockport MB). Proposed diversion is partly and unnecessarily on an estate road. Objection lodged.

Bolton F.P. 217—see Closure and Diversion Secretary's article.

Bolton F.P. 359—see Closure and Diversion Secretary's article.

Bolton M.B.—F.P. connecting Hawkshead Drive and Chip Hill Road. Closure proposed on grounds of vandalism. Council used local Act despite our request that they used the more democratic H.A. 1959, S110. Matter still not resolved.

Bramhall F.P. 50 (Stockport M.B.). D.O.E. decided that the path should be diverted adjacent to the brook despite our representation re: possible future erosion. However we have received assurances of maintenance from G.M.C.

Bury F.P.s 13—14. This case, brought by Tetrosyl under Bury Corporations Act 1932, was originally dismissed because of an omission on the statutory notices. At the second hearing on 25.7.77 the Magistrates confirmed the closure but granted a new, shorter length of path connecting two public houses against the wishes of Bury M.B.

Cheadle F.P. 62 (Stockport M.B.). Bradshaw Hall. Council used S.108 H.A. to close the path for incorporation into gardens. Magistrates confirmed this decision. R.A. applied to Crown Court but appeal dismissed due to non-appearance of R.A. representative.

Denton F.P. 32 (Tameside) Inquiry 23.11.77 for this path which had been incorporated into gardens. Result awaited.

Greengate, Middleton (Oldham M.B.). A large industrial estate is proposed on green belt land on the borders of Chadderton and Alkington. Oldham M.B. propose to deal sympathetically with the many well-used paths which cross the land and to carry out extensive landscaping but an important principle is involved and objection lodged as this departure, if successful, would open the floodgates to green belt development throughout G.M.C. Planning Inquiry held, result awaited.

Lees F.P. 2 (Oldham M.B.). This proposed extinguishment goes back to 1966 and is mixed up with a development application. We have advised the Council that we want a new link into the proposed development before we will withdraw our objection.

Marple F.P. 64 (Stockport M.B.). Public Inquiry into two orders, one revoking a 1968 diversion and a 1976 one diverting a path on to a road. There had previously been an Inquiry over this path in 1972 which we won. This is another example of Stockport's policy of removing paths from the gardens. Result awaited.

Middleton F.P. 75 (Rochdale M.B.). Despite the Inspector's recommendation in our favour, the Secretary of State agreed to closure and the diversion of the path on to an estate road.

Rochdale F.P. 36 (Full Pot Lane) *See* Closure and Diversion Secretary's article.

Shevington F.P. 8c (Wigan M.B.). Result awaited. *See* Derek Taylor's article.

Underbank Farm/Furniss Grove, Heaton Mersey. (Stockport M.B.). This, the notorious signpost through the house case, as featured on the cover of the Society's 1975 Annual Report, has had the order confirmed by D.O.E. (made an extinguishment order under S.110) on legal advice that there is nothing to prevent its confirmation even though the route obviously could not be walked. Estate roads were considered acceptable.

Westhoughton F.P. 40 (Bolton M.B.) Proposed diversion on account of industrial estate on to estate roads. We are prepared to negotiate an alternative not involving road use. Formal objection lodged in meantime.

Lancashire County Council

Bacup F.P. 433 (Rossendale D.C.) Proposed diversion of old walkers' track on to indirect estate road when space available for a more suitable alternative. Objection lodged.

Darwen F.P. 76 (Blackburn B.C.). D.O.E. confirmed this diversion on to estate roads despite our objection. Our case was not helped by N.E. Lancs. R.A.s intervention in supporting the Council's case.

Darwen F.P. 221 (Blackburn D.C.). Pre-reorganisation, the local authority allowed development over this path without prior advertisement. A suitable diversion was promised but then an extinguishment order was advertised. Objection lodged as this is the last of three paths leading from Hoddleston village to open country. Council now say path is to stay open.

Haslingden F.P. 368 (Rossendale D.C.) Builders have developed over this path. Diversion proposed on estate roads. Objection lodged.

Withnell F.P. 29 (Chorley M.B.). Inquiry 18.10.77. A selfish little closure proposal of a short cut F.P. D.O.E. confirmed closure under T.C.P.A. yet not all the length of path involved needed for development. Correspondence proceeding with D.O.E.

Wrightington F.P. 30c (Lancashire C.C.) Part of this path has been improperly quarried away. Objection lodged. Inquiry scheduled for 1978.

South Yorkshire County Council

Deepcar F.P. 31 (Sheffield M.B.). Path blocked by development. Extinguishment proposed by Council. Space for new alternative exists. Objection lodged. Inquiry expected.

Skelwith Drive/Hollywell Road (Sheffield M.B.) An anticipated order. Objection lodged.

Treeton F.P. 5. Objection lodged as the extinguishment of a portion of this path has been proposed and the new length offered does not connect.

Staffordshire County Council

Cheadle F.P.s 19—51 (Staffordshire C.C.). Huntley Wood. Closure requested by Blue Circle Aggregates for quarrying. Order advertised only in local papers. Objection lodged but withdrawn later following satisfactory negotiations.

Cheadle F.P. 38 (Staffs Moorlands D.C.). *See* Closure and Diversion Secretary's article.

Cheddleton F.P. 62. Extinguishment of only F.P. in the immediate area (now being developed for housing) which has potential both as a walk and a short cut. Objection lodged.

Forsbrook F.P. 20 (Staffs Moorlands D.C.). *See* Closure and Diversion Secretary's article.

Leek F.P. 29. *See* Closure and Diversion Secretary's article.

West Yorkshire County Council

Hebden F.P. 78. Adjacent to Pennine Way and Stoodly Pike. This application for diversion has now been withdrawn.

Holmfirth F.P. 72 (Kirklees M.B.). Broad Lane, Upperthong. House built over footpath. Developer fined £100 by C.C. despite many local objections and calls for demolition. Application for diversion was made under T.C.P.A. S.210 and confirmed on the grounds that development was incomplete (a floorboard in one of the houses still to be laid!). Appeal to the High Court being considered.

Huddersfield F.P. 232 (Kirklees M.B.). Inquiry held 11.10.77. This is the path which crosses Crosland Moor airfield (private). Large number of objectors. Result awaited. **Stop press:** Case won. D.O.E. have thrown out the application.

M.F.

FOOTPATH INSPECTORS

We are grateful to those who have responded to our appeals for additional Inspectors in recent years. Thanks to them our position is much better than it was, but there are still gaps we should like to fill. If you are a member and willing to help, please choose from any of the areas A to AE shown as vacant. Offers to deal with part of an area are acceptable. An outline of the duties is given below, and the Society will reimburse Inspectors for all reasonable travelling expenses incurred in the work.

Duties of Inspectors

The primary duty of an Inspector is to investigate footpath complaints made to the secretary and to take appropriate action. Time permitting, he should also inspect the paths in his area.

Complaints may arise from misleading notices, deliberate obstruction or removal of stiles, disappearance of footbridges, locking of gates, blocking of paths by undergrowth or overgrowth, ploughing without reinstatement, or personal intimidation by landowners, tenants, uncontrolled dogs, bulls, etc. All of these call for positive action on our part.

On receipt of a complaint the Inspector should first visit the path in question and establish the facts. Complainants sometimes encounter obstructions because they are not on the path. For this purpose, 2½-inch maps are essential and the Society will provide them. It is also desirable, but by no means essential, to consult the official "definitive map" of footpaths (if there is one) at the Local Council Office. Inclusion of a footpath in such a map is conclusive evidence that it is a right of way, *but the opposite is not true*. An omitted path may still be public, though it will be much harder to prove that it is. It is useful to be able to refer to a definitive map and quote the official F.P. Number, but inability to do so need not deter an Inspector from following up a complaint.

If the complaint is confirmed, a tactful approach to the owner may help in some cases, but it is best to avoid involvement in disputes. It is unwise to remove an obstruction without due regard for the possibility of a prosecution under the Criminal Law Act, 1977 (See p. 4)

Having fully ascertained the facts, Inspectors should report to the Secretary (quoting map, grid reference and official path number, if available), who will then write to the appropriate local authority. Inspectors should also attend the Society's Council Meetings and submit *brief factual reports on their work*. They will be lent a copy of a recently issued booklet on the "Law of Footpaths", and an Inspector's card of authority.

Offers of help should be addressed to the Society's Secretary.

PEAK AND NORTHERN FOOTPATHS SOCIETY
INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31st DECEMBER, 1977

EXPENDITURE				INCOME			
1976	£	p		1976	£	p	
290·00	Annual Report:—			116·90	Subscriptions—		
56·78	Printing	295·00		72·25	Ordinary Members		122·00
	Distribution	45·00		42·94	Husband and Wife Members		107·25
				1·00	Transfer from 10-year Subscription A/c		45·04
143·34	Honorarium—Secretary	340·00		133·76	Junior Members		150·28
137·27	Postages, Telephones	200·00			Affiliated Societies		
130·19	Stationery, Typing, Duplicating	168·93		182·06	Donations		424·57
	Travelling Expenses—	77·71		883·50	Interest on Investments and Deposits	1252·90	223·90
60·53	Inspectors	73·37		115·00	Share of Income on P.M. Oliver Trust Fund	94·34	
7·71	Secretary	1·25		18·80	150th Anniversary Books—Profit on Sales		1347·24
13·60	Others	14·48					30·83
58·51	Literature, News		89·10				
32·20	Hire of Rooms		60·45				
12·00	Subscriptions to Kindred Societies		33·90				
10·00	Hire of Room for A.G.M.		12·00				
6·53	Maps, Plans		10·00				
5·00	Insurance		12·32				
—	Advertising		5·00				
99·08	Sundries		6·00				
65·70	Annual Dinner	147·32	6·50				
33·38	Less Income	130·00					
249·65	150th Anniversary Dinner		17·32				
230·50	Less Income						
19·15	Presentation to retiring Hon. General Secretary						
100·00	Less Contributions						
49·70							
50·25							
1066·44			1039·23				
499·77	Balance being excess of Income over Expenditure carried to Accumulated Fund		987·31				
£1566·21		£2026·54	£1566·21			£2026·54	

FUND BALANCES

	Balance at 1st Jan. 1977	Income during year	Expenditure during year	Balance at 31st Dec. 1977
	£	£	£	£
General Fund—Accumulated Balance	9197·44	2026·54	1039·23	10184·75
Defence Fund	1988·21	7·50	13·04	1982·67
Survey Account	229·23	3·00	—	232·23
Signpost Account	130·01	29·45	92·87	66·59
Arthur Smith Memorial Fund	151·96	23·12	—	175·08
Edwin Royce Memorial Fund	79·66	—	—	79·66
	£11776·51	£2089·61	£1145·14	£12720·98

BALANCE SHEET AS AT 31st DECEMBER, 1977

1976				1976			
£	p			£	p		
FUNDS—				DEPOSITS AND INVESTMENTS—			
9197·44		General Fund Accumulated Balance	..	10184·75		Investments at cost (a) 10301·02
1988·21		Defence Fund 1982·67	9222·06		Bank Deposit 1760·27
229·23		Survey Account 232·23	2919·74			
130·01		Signpost Account 66·59				
151·96		Arthur Smith Memorial Fund 175·08	£12141·80			£12061·29
79·66		Edwin Royce Memorial Fund 79·66				
£11776·51							
LIABILITIES—				CURRENT ASSETS—			
731·80		Creditors 10·00	308·85		Stock of 150th Anniversary Books	.. 186·02
386·44		10-year Subscription Suspense A/c	.. 405·40	243·82		Debtors—Inland Revenue 427·13
				50·00		—Other
				85·28		Cash at Bank 446·94
				65·00		Cash held on petty cash imprest A/c	.. 15·00
			415·40				1075·09
£12894·75			£13136·38	£12894·75			£13136·38

	£	p
(a) INVESTMENTS at Cost—		
Treasury Stock	990	33
Local Authority Stocks and Loans	4401	12
Public Corporation Debenture Stocks	2792	07
Ordinary Shares	2117	50
	<u>£10301</u>	<u>02</u>

R. WALSH, *Honorary Treasurer.*

AUDITORS REPORT—I have examined the Accounts for the Year ended 31st December, 1977 which are in agreement with the books of account. In my opinion the Balance Sheet shows a true and fair view of the Society's affairs at the 31st December, 1977.

D. STAUNTON, *Hon. Auditor*, 31st January, 1978.

LIST OF AFFILIATED SOCIETIES—1977

Alderley Edge, Wilmslow and District Footpath Preservation Society.
 Backpackers Club.
 Barnsley District Footpath Society.
 Barnsley Mountaineering Club.
 Black Brook Conservation Society.
 Border Byeways Association, N.W. Derbyshire and N.E. Cheshire.
 British Naturalists Association, Manchester Branch.
 Bramhall Ratepayers Association.
 Bramhall Young Wives Association.
 Brook Road Wesley Guild.
 Buxton Field Club.
 Buxton HF & CHA Rambling Club.
 Cheadle Hulme Community Council.
 Cheshire County Federation of Ratepayers & Kindred Associations.
 Chesterfield Spire Rambling Club.
 College of Adult Education Rambling Club.
 C.E. Holiday Homes, Liverpool.
 C.E. Holiday Homes, Manchester Section.
 C.E. Holiday Homes, Sheffield.
 C.E. Holiday Homes, Warrington Section.
 C.H.A. Birch Heys, Manchester.
 C.H.A. Altrincham and District Rambling Club.
 C.H.A. Ashton under Lyne District Rambling Club.
 C.H.A. Bury & District Rambling Club.
 C.H.A. Eccles Rambling Club.
 C.H.A. Leigh & District Rambling Club.
 C.H.A. Manchester C Section Rambling Club.
 C.H.A. Manchester Rambling Club.
 C.H.A. Mansfield Rambling Club.
 C.H.A. Oldham Rambling Club.
 C.H.A. Rochdale Rambling Club.
 C.H.A. Sheffield Section B Rambling & Social Club.
 C.H.A. Sheffield Rambling Club, Section A.
 C.H.A. Stockport Rambling & Social Club.
 Crescent Rambling Club.
 Derbyshire and Pennine Club.
 Disley Society.
 Good Companions Rambling Club, Sheffield.
 Halcyon Rambling Club.
 Hanlienson Rambling Club.
 Hazel Grove & District Owner Occupiers Association.
 Hazel Grove Fiveways Ladies Club.
 Head for Hills, Sussex Group.
 Heathfield & District Owners Occupiers Association.
 Holiday Fellowship, Bolton Group.
 Holiday Fellowship, Bury Group.
 Holiday Fellowship Ltd., London.
 Holiday Fellowship, Manchester Group.
 Holiday Fellowship, Oldham & District Group.
 Holiday Fellowship, Sheffield Group.
 Holiday Fellowship Field & Fell Club, Rochdale Group.
 Holme McDougall Ltd., Publishers & Printers.
 Longdendale Footpaths Preservation Society.
 Macclesfield Rambling Club.
 Manchester Associates Rambling Club.
 Manchester & District Rambling Club for the Blind.

Manchester Fellowship.
 Manchester Pedestrian Club.
 Manchester Rambling Club.
 Marple District Rambling Club.
 Moor & Mountain Club.
 North Western Naturalists Union.
 Nottingham Wayfarers Rambling Club.
 Poynton Rambling Club.
 Rambler's Association, Derbyshire Area.
 Rambler's Association, Manchester Area.
 Rambler's Association, Merseyside and North Wales.
 Rambler's Association, North Cheshire.
 Rambler's Association, Nottingham Area.
 Rambler's Association, S. Yorks & N.E. Derbyshire Area.
 Rambler's Association, Warrington Group
 Rambler's Association, West Riding Area.
 Rucksack Club.
 Sheffield Clarion Club.
 Sheffield Rambling Club.
 Stockport Field Club.
 Sutton in Ashfield Rambling Club.
 Tameside Pony Club.
 The Comradeship of the C.E. Holiday Homes.
 Totley & District Environment Society.
 Towns Women's Guild Soc. Study Section.
 United Field Naturalists Society.
 W.E.A. Stockport Social and Rambling Club.
 West Pennine Bridleways Association.
 Woodsmoor Residents Association.
 YHA Peak Regional Group, Matlock.
 YHA Stockport Area Group.

THIS LETTER WAS SENT OUT IN 1977 OR 1978. IT SEEMS RIGHT TO
INCLUDE IT IN THE RECORD OF THE SOCIETY'S ACTIVITIES WHICH
ARE MAINLY RECORDED IN THE ANNUAL REPORTS

AN OPEN LETTER FROM THE PEAK AND NORTHERN FOOTPATHS SOCIETY

Closure and Diversions Secretary, Mr. Don Lee, 7 Mossway, Alkrington, Middleton

Greater Manchester Council seeks wide powers to close paths

Greater Manchester Council intends to include a most objectionable clause in a consolidating Private Act that they will promote in the 1978/79 parliamentary session, commencing in November, 1978.

This clause, provisionally No. 37, if passed, would effectively re-enact the powers contained in the Manchester Corporation General Improvement Act of 1851 and would allow the GMC or any of the ten district councils to apply direct to the Crown Court for the closure or diversion of any path.

We consider that the present powers available under the Highways Act 1959, Sections 110 and 111, or the Town and Country Planning Act 1971, Section 210, are adequate and much fairer to objectors - since they can submit written representations without the unpleasantness or inconvenience of appearing in Crown Court and the risk of incurring substantial costs. If agreement cannot be reached on this basis the Department of the Environment arranges for the case to be considered at a Public inquiry, attendance at which costs nothing but time.

We suspect that this is precisely the reason why the GMC are seeking such drastic powers - to deny the man in the street a fair and free opportunity to defend his local footpaths - since objectors like the Ramblers' Association and ourselves, as well as other local amenity societies and individuals often save footpaths by presenting a reasoned case for their retention at a public inquiry.

Most objectors would be far more reluctant to attend at Crown Courts in view of the considerable expense of having their cases presented properly, and the risk of having to pay the other sides costs as well, if they lost.

If they won, there would be the further risk of appeals - which local authorities can afford through various courts and even to the House of Lords, by which time the costs could amount to five figures.

It is doubtful whether Parliament will knowingly grant the GMC such excessive powers that are not available to other authorities, but the risk is there especially if people are too complacent to raise their voices and complain. Therefore we ask you NOW to contact a sympathetic district or county councillor and your local M.P. and express your dismay at the GMC's moves. You could also write to the local papers and ring up your local radio "phone-in" programme to generate public interest and concern. The GMC are so confident of their position that they have refused to meet a deputation from our Society.

Remember, every path in Greater Manchester County - and that ranges from parts of the Pennine Way to the smallest town ginnel leading to a bus stop - is potentially at risk, so your protest should be made now against the adoption of Clause 37.

If the GMC remain adamant a public meeting will be called and we shall be obliged to petition Parliament.

DONALD LEE
Closure & Diversion Secretary

P.S. Don't forget the old saying "What Manchester thinks to-day". Other Counties will be watching the progress of the GMC Bill very carefully and we do not need to spell out the consequences. Even if you don't walk mainly in Greater Manchester you should alert your M.P. of this threat to footpaths.