

ANNUAL REPORT

1978-79



Peak and Northern Footpaths Society
1894 - 1979

Cover photograph: Washgate Bridge, near Hollinsclough, on the River Dove (GR. 052764); a perfect packhorse bridge with its original parapets intact. It is on one of the RUPP's mentioned in Mr. Mason's article and is unfortunately much frequented by rough riders.

Photo: Frank Head.

PEAK AND NORTHERN FOOTPATHS SOCIETY

Founded in 1894; Manchester Association Founded 1826

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FOREWARD

Once again the possibility of adverse changes in footpaths law is uppermost in my mind, but the picture is not entirely gloomy. Two significant successes have been achieved during the year. On the local front the society and its allies have succeeded in persuading the Greater Manchester Council to abandon an objectionable clause in its local act which would have enabled them to close or divert footpaths by application to the Crown Court. The resolute action taken to counter this threat is described elsewhere, but it is only fair to acknowledge the helpful attitude of the G.M.C.'s new County Secretary, Mr. G. M. Tideswell, in the later stages.

Two years ago we complained of the draconian powers for dealing with paths provided by S.23 of the New Towns Act 1965. Following representations from the R.A. and the Society the D.O.E. has now agreed that proposed path changes should be advertised in the London Gazette and on the paths themselves, and that Development Corporations should be encouraged to provide alternatives. But there is still no requirement to hold inquiries or to hear objections.

In response to many complaints of anticipated developments ("house on path" cases) the D.O.E. has offered two suggested remedies, one good the other very bad:— that planning permission and associated path orders should be dealt with at the same time, but that disputed orders should be decided by the local authorities, who might well be tempted in some cases to reduce their expenditure on maintenance by closing paths. Something similar has also been suggested in relation to temporary traffic regulation orders (see Commentary). In the name of local democracy the D.O.E. seems disposed to withdraw from its role as arbiter between the authorities and individuals.

A much less objectionable idea was that footpath decisions should be made by the inquiry inspectors without reference to the D.O.E. Though the inspectors may be more or less biased either way, and not always sound on points of law, the standing of the ministry officials in such matters is not beyond doubt either, and we tend to think the overall result might be much the same as now, with one important exception. Much time would be saved by avoiding the bottleneck caused by shortages of staff in the regional offices of the D.O.E. At present there is an enormous backlog of objections to definitive map reviews which have not been dealt with and will not be for many years.

Another interesting suggestion is that new claims for paths should be dealt with as they arise by making "definitive status orders" instead of waiting for the next review.

Perhaps the most significant and ominous event of the year for Peakland walkers was the slashing of our National Parks' Structure Plan by the D.O.E.'s regional officers at Nottingham. The plan prepared by our oldest and strongest National Park had been

generally agreed, after long consultations with every sort of local and regional interest, and was thought to conform to Government policy as expressed in Circular 4/76 which accepted most of the Sandford Report. Yet the D.O.E. has proposed modifications so drastic as to rob the Park of nearly all its special safeguards and reduce its protection to the same level as that of ordinary countryside.

It was precisely in order to secure such special protection for outstandingly beautiful landscapes that the R.A., C.P.R.E. and other amenity interests campaigned for National Parks in the thirties and forties. Now we learn that there are to be no presumptions against large scale intrusive developments such as new quarries and mineral workings, and new sites for static caravans. Restrictions on housing designed to limit it to local needs are to go, and the Board must take account of the "compelling need" of new roads between adjacent urban centres, such as the projected motorway through Longdendale. Oddly enough, similar policies written into several county structure plans have been approved by the D.O.E. and in Gwynedd a presumption against mineral working and static caravans was inserted at the insistence of the S.O.S.

If all this comes about we shall be left with little more than a mere recreational area. Indeed, the D.O.E. is trying to compel the Board to provide additional recreational facilities, car parks and caravan sites "as the need arises". There can be little doubt that we are faced with a complete reversal of Government policy on National Parks and a determination to spike opposition to unsightly developments in them. Already the Board has had to yield to a big new fluorspar mine near Lathkill Dale for fear of worse consequences if they refused permission. Many protests have been sent in and a final decision is expected in the Spring. If it has not been made before this report appears, I would urge all readers to write to the Rt. Hon. Peter Shore, Secretary of State for the Environment, House of Commons, Westminster, protesting against the proposed changes in the Peak Park Structure Plan.

FRANK HEAD

REPORT OF THE GENERAL SECRETARY FOR 1978

It is my pleasure to present my report for the year ended 31st December, 1978.

When I pause to consider the mass of correspondence which has passed between the Society and Local Authorities during the past 12 months and then consider factually, what has been achieved against that which is achievable, I am almost driven to despair. However, I happen to believe that the age old adage "the dripping water weareth away the stone" still applies and I give you my assurance that I will continue to "drip" regularly. When I open a file on an obstructed path, that file will not be closed until the path is cleared or officially diverted. My policy is to send reminders to my letters every two months until something is done.

You will, I know, be aware that most County Authorities operate an Agency Agreement with the District Councils under the Highways Act 1959 Section 116 (2). The intention behind this is that Local Authorities look after local highways (including paths) and there would appear to be a great deal of common sense in that reasoning. The problems begin, however, when the question of finance is considered. One Local Authority in Derbyshire received from the County the princely sum of £2,030 for footpath and bridleway work in the year. You will quickly appreciate that such a small sum would not even pay the salary of a footpaths officer. The Local Authority has therefore to supplement that sum, but they work on a system of priorities and I am afraid that most authorities place footpaths and bridleways at the bottom of their list of priorities, despite the fact that they have a Statutory responsibility under the Highways Act "to protect the rights of the public to the use and enjoyment of any highway". Should we not therefore have a certain amount of sympathy (but not too much) with the Borough of High Peak who at least have had the courage to highlight a deplorable situation when they said recently in a letter to one of our affiliated societies who were complaining about inaction on footpath matters . . . "since he (an officer dealing with footpath problems) has left the authority without replacement, it has been impossible to fulfil the responsibilities of footpath and bridleway problems" . . . and added further . . . "I feel I cannot any longer make excuses and must acquaint you of these facts in writing". These comments have spurred us to ask Derbyshire County Council to look very closely at the funding and administration of their Agency Agreement system. Perhaps, with a bit of luck, the wind of change will begin to blow in the new year, the signs are already evident.

I would like, in this my first report, to commend to you the work done by our Footpath Inspectors. In the short time I have been your Secretary I have quickly realised that in the areas not covered by an Inspector, I am lost. I cannot, with the best will in the world travel to all the parts of our area when an obstruction report is received and so, coupled with my personal thanks to the Inspectors I would like to enter a plea for a determined drive to fill some, if not all of the vacant inspection areas. Offers to deal with part of an area would be more than welcome. I am sure you will agree that if we are to function as an

efficient Society then we must recruit more Inspectors to our team. Please help if this is at all possible.

Members will recall the campaign we mounted earlier in the year against the Clause in the Greater Manchester Bill which would have enabled both the County and District Councils to apply direct to the Crown Court for footpath closure orders. I am pleased to be able to advise you that as a direct result of the pressures applied by members of this Society, well supported by our many affiliated Societies, and for no other reason, the offending Clause has been completely re-drafted to specifically exclude Footpaths, Bridleways, Cartways, R.U.P.P.s and Byways open to all traffic. Our thanks therefore to the hundreds of people who took the trouble to write to the County, to their local councillors and M.Ps. It has, without doubt, been a very worthwhile exercise. I think it is important that we recognise that when a large number of people are sufficiently concerned to stand up and be counted, then anything is possible, a lesson we have learned and noted for the future. There are, however, still some Clauses in the Bill which give cause for concern and which we are still pursuing with the County Council. There is a proposal to permit the **temporary** closure of paths for up to two years; this time factor we feel to be far too long and we have made the necessary arrangements to petition Parliament on this particular clause. There is also a Clause relating to processions in streets, which at first glance would not appear to affect us, but we are seeking clarification as to its effect on our Mid-week walking parties and indeed our pre-inquiry demonstration walks. Other matters of concern are being raised in the vital last few weeks before the Bill comes before Parliament.

The Society is now almost always consulted by Local Authorities and other bodies regarding proposals for Reclamation Schemes, Country Parks, Structure Plans etc. and during the year we have been involved in discussions or have made written representations regarding the following:—

Astley Green Colliery - Reclamation Scheme.	Wigan M.B.
Higher Folds - Reclamation Scheme.	G.M.C.
Local Plan on Open Land.	Bolton M.B.
Mersey Valley Survey.	G.M.C.
National Park Structure Plan.	P.D.N.P.
North East Lancashire Structure Plan.	Lancashire C.C.
Pennington Flash Country Park.	Wigan M.B./G.M.C.
Rother Valley Park.	South Yorks. C.C.
Rudyard Lake Area - District Plan.	Staffs. Moorlands D.C.
West Pennine Moors - Local Plan.	Lancashire C.C.

It would be impossible for me to begin to list the many obstructed paths which have been reported to the Society during the year, nor would it serve a particularly useful purpose, but I would like to mention just a few which are on our files at the moment and my apologies if I have not mentioned your own particular pet obstruction. It is in Cheshire where we seem to have the greatest number of obstructed paths, or is it that our members in the area are more keen to report them. In my correspondence with the County at Blackford Hall, one always feels that their replies are encouraging, but when the

end results are analysed I cannot really say that we have actually seen very many obstructed paths re-opened. There is for instance a serious problem with-in the Bollin Valley Country Park where one might reasonably expect the Wardens to keep a fairly strict control on the situation. In Ashley, there are a number of problems, a badly obstructed path which runs from East to West, just South of Ryecroft Farm from GR. 753852 to GR. 758852, and again in Ashley the path from Mobberley Road to Back Lane GR. 777840 is obstructed and the farmer disputes the right of way. At Chelford, the right of way is obstructed adjacent to Church Cottages, Astle GR. 820740 where a six bar gate is fastened by a chain and topped by three strands of barbed wire. In the latter case we are grateful for the assistance given by the Alderley Edge F.P.S.

If I were asked to nominate the most unhelpful authority of the year, then there could be only one contender for the title, The Borough of High Peak, for I have received not one single reply to the several letters I have written to them during the year. I have already mentioned their problems previously but one thing is certain, there is a real need for them to get their house in order as quickly as possible or the Society will have to give serious consideration to taking a case to the Local Authority Ombudsman. In the Borough, there is an obstructed path at Brownhills Cottages GR. 043932, there are problems at Hope Cement Works and on the path from Higher Gamesley to Bank wood, Long Lane, GR. 001936 where a stile is obstructed.

Perhaps Staffordshire Moorlands District Councils' claim to fame this year would be their reluctance to institute proceedings against persons obstructing Non-definitive paths which have been used, as of right, for a lifetime. Despite concrete evidence of twenty years use, they say that . . . "it would be inappropriate for the Council to initiate action" . . . this, in relation to a path through Mathers Wood and Farley Park from Oakmoor Old Station, well used and known locally as "The Rabbit Warren". As the year draws to a close we are asked by Kingsley Parish Council to support them in a claim for another non-definitive path at Consall Forge. We will of course give that support. In the same District, there are obstructed paths at Quarnford GR. 980662 and 977653.

I am told that an Annual Report should at least end on a happy and optimistic note and as I would not wish my report to be the exception to the rule, I close by drawing your attention to an important path which has been re-opened during the year. I refer to the path which traverses Woodford Airfield (Poynton F.P. 80). New stiles have been erected on the Airfield perimeter. Notices and directional arrows are in position advising users to keep to the perimeter. After many years of obstruction it is pleasing to note that this path is now negotiable, but note that it is not strictly on the line shown on the definitive map. We are looking closely at the implications of this latter point. The path runs from Poynton on the A.523 at GR. 916826 in a N.W. direction to Lostock Hall Farm. Please use it if you are in the area.

DEREK TAYLOR.
HON. GENERAL SECRETARY.

COMMENTARY

Footpaths Inspection Secretary

We were very sorry to learn of the death of Mr. Harry Lees who acted as Footpaths Inspection Secretary for our Society and the R.A. for the past five years. Mr. Lees was a member of "Mac's Ramblers" one of the earliest rambling clubs in the district and one which helped to form the original Ramblers' Council (Manchester) in 1919. He graduated as a B.A. of the Open University during his retirement, a considerable achievement for a man of his age. Many older members have enjoyed the mid-week inspection walks he arranged and we are glad to hear that Mr. Fred Darwin has agreed to continue his work.

Bull Byelaws

The Government has at last announced its acceptance of the complicated recommendations of the Advisory Committee for Agriculture and Horticulture, a body on which neither ramblers, horse riders, cyclists nor other path users were represented. Their proposals, first described in our 1975-76 Report, involve the adoption of revised model byelaws by the new District Councils, who now have this responsibility. Before 1972, Counties wishing to adopt a byelaw could choose either to exclude bulls from fields containing public paths or to operate a "cow clause" byelaw under which an accompanied bull was permitted.

Now it is proposed that the Districts should have the choice whether or not to make a byelaw, and that different models should be prescribed for upland and lowland areas. That for the uplands, which include most national parks, would be of the cow clause variety, but this option would also be available for "lowland areas with topographical characteristics similar to those in upland areas". Marple and similar areas of Greater Manchester might well be in this category. The model byelaw for lowland areas, on the other hand, would be of the total exclusion type, but there would be nothing to prevent a district that had inherited a "total ban" byelaw from seeking to rescind it and not applying for another.

We regard these proposals as very unsatisfactory, and are glad to know that the R.A. is opposing some related legislation included in the Countryside Bill 1978 without which they cannot be implemented. At the time of writing there seems a fair prospect of securing agreement with the farmers and landowners on a simpler alternative system based on nationwide legislation instead of optional byelaws.

Footpath Closures and Diversions 1977

According to the R.A. some 1200 orders for closure or diversion, affecting about 500 miles of path, were issued during 1977 in England and Wales and more than 80% of these were confirmed **without objection**. During the same period there were only 39 creation

orders for new paths. These figures, which are typical of the trend in recent years, scarcely support the oft repeated claims that "professional objectors" are making it very difficult to change the path network. Fortunately about 75% of the orders were for diversions only, but the overall picture is of a contracting path system with many changes taking place. We see no justification for the very expensive non-statutory reviews which one or two counties have undertaken and others are providing for in their structure plans. What money is now available for paths would be better spent on the relatively inexpensive performance of statutory duties such as maintenance of paths, repair of bridges, removal of obstructions, and protection of the public against intimidation by the occasional rogue individual.

It has also been estimated that about 125 miles of rural paths are lost each year by urban development which has been swallowing up 62 square miles of agricultural land annually since the war. On average there are two miles of footpath per square mile of countryside. Some of these paths may become pedestrian walkways but most are either closed or diverted on to roads.

Walking is Very Popular (Official)

A national survey of countryside recreation carried out for the Countryside Commission in the summer of 1977 has thrown up many interesting and surprising conclusions. Of 5040 people interviewed, 72% preferred countryside to urban pleasures and country was twice as popular as seaside. During the three summer months over half of the population made at least one trip a month to the countryside. Of these, the largest group (34%) took part in casual activities referred to as "drives, outings or picnics" but those who "went on long walks, hikes or rambles" of two or more miles (!) accounted for a surprising 21% of the total, coming second only to gardeners (63%). Visitors to the coast (17%) and to stately homes etc. (13%) came next, with other seemingly popular activities such as fishing (4%) and horse riding (1%) well down the list, and cycling less than 0.5%. Of course, some people took part in more than one activity but it is clear that walking is much more popular than might have been supposed.

On average, people made 2.3 trips to the country per month and the population of England and Wales made at least 82 million trips per summer month in 1977. Only one person in ten had never visited the country. Making countryside outings seems to be a family activity and is remarkably even for all age groups, rising slightly from 57% at 16-19 to around 60% from 30-45 and then falling slowly to 43% at 65-70. Interest in sport on the other hand falls from 18% at 16-19 to 3% at 65-70. Similarly, the country appeals almost equally to men and women, whereas there are three men to every woman interested in sport.

Car ownership is a very important factor influencing people's ability to make country outings. Those with access to cars are twice

as likely to go out as those without. 85% of trips from home to country are made by car, 5% on foot, and 10% by other transport. Some of these conclusions may not please all our readers but they present an interesting diagnostic picture of the actual state of affairs and leave no doubt that walking is very popular with both sexes in all income groups and at nearly all ages.

Footpath Worker

What follows is taken from information in parts 1 and 2, Vol. 4 of "Footpath Worker" which is now available from the R.A., Crawford Mews, York Street, London W.1. H.A. signifies the Highways Act 1959, C.A. the Countryside Act 1968, S. Section, D.O.E. the Department of the Environment, and S.O.S. the Secretary of State. A guide to "Creation, Diversion and Closure of Public Paths, is also available from them at 35p, post free.

Reclassification of RUPP's

In our 1975-76 Report we referred to the judgement in the Hood case which limited the reclassification of Roads used as Public Paths (RUPP's) to a choice between bridleways and byeways open to all traffic. Previously a number of RUPP's had been reclassified in accordance with the badly drafted intention of C.A. The D.O.E. has now issued a Circular (123/77) setting out its policy for dealing with various objections to reclassification, as follows:— (a) If a RUPP is reclassified as a footpath and it is claimed that it should be a bridleway the objection will be upheld, but if it is claimed as a byway the objection will be upheld if, and only if, the tests for byway status laid down in C.A. are met. If they are not, reclassification as a footpath will stand (illogical as it may seem). (b) If a RUPP is reclassified as a byway or bridleway and it is claimed that it should be a footpath, the objection will be disallowed.

Right of Objectors to be heard at Inquiries

At an inquiry into an application to win opencast coal, a Mr. Nicholson, who contended that environmental damage would outweigh economic benefit, was forbidden to cross examine local authority witnesses who took the opposite view because the Inspector feared that he would be repetitive and irrelevant. He had cross examined Coal Board witnesses, but their evidence was not germane to his objections. A Queen's Bench judge quashed the authorisation given by the S.O.S. for Energy on the ground that an objector has a right to cross examine witnesses who have given evidence against his case, provided that he keeps to the point and is not irrelevant.

Temporary Traffic Regulation Orders and Notices

The increasing use of S.12 of the Road Traffic Regulation Act 1967 and subsequent amending acts for temporary closure of public paths has been causing concern for some time and an article in

Footpath Worker by Michael Holroyd examines it in detail. Under S.12 (1) an authority may, in specified circumstances, close any highway by **Order** for up to three months or for additional periods if the S.O.S. agrees. There is no right of objection except the common law right of appealing to the High Court. Seven days' advance warning must be given of an Order, but in emergencies a **Notice** can be issued under S.12 (2) which comes into force at once, but can only last for 14 days.

An Order under S.12 (1) may be made on any one of three grounds:— execution of any works on or near a road, likelihood of danger to the public, or of serious damage to the highway. Powers under the original Act were applicable to any highway, but related to vehicular use only, and were, therefore, not intended to be applied to footpaths and bridleways.

It was an unfortunate accidental result of the subsequent Transport Act 1968 that paths became subject to temporary traffic regulation orders and notices. That Act was designed to enable local authorities to control the use of roads by pedestrians, whose carelessness might endanger the lives of others by using roads, bridges or tunnels designed solely for wheeled traffic. Unfortunately, these extended powers still applied to all highways, and it was soon realised that they provided a convenient means of closing paths temporarily. Yet if the Act had been intended to be used in this way it would surely have referred to the control of horse riders as well as pedestrians, but it does not. Some authorities have, in fact, used it for that purpose and claim that horses are vehicles! Another anomaly is that anyone using a path closed under S.12 commits a criminal offence punishable by a £20 fine, whereas if he takes a parallel line a few yards off it, he is merely a trespasser.

The above powers have been used fairly extensively in recent years and sometimes inappropriately in circumstances not involving danger to the public from unavoidable causes such as collapse of a bridge, necessary repair works, etc. but from mock battles, agricultural shows and so on. Although this might seem acceptable on a common sense basis for the odd day or two, it opens the way to closures for shooting, stubble burning and other agricultural operations. In one case indeed a path over a golf course was closed for over a year to permit grass seed to grow.

Various safeguards are called for, but unfortunately a recent White Paper on Transport Policy talks of introducing legislation to remove "Ministerial controls on local authorities' powers to manage traffic". So it seems that our rights on rural paths may again be jeopardised by measures designed to control urban traffic.

F. H.

PRESERVING THE OLD STRAIGHT TRACK

by Donald W. Lee, Closure & Diversions Secretary

In reviewing 1978's most significant successes the remarkable fact emerges that a majority of the old tracks saved are wholly or partially along straight alignments that when projected apparently link ley-fashion towards some interesting old or landscape features. Readers may speculate on this situation themselves, but here are the more down-to-earth facts of each contest, selected primarily for the importance of the principles they establish or reinforce, thus illustrating current official thinking on footpath issues.

Killamarsh FP. 17 (North East Derbyshire District Council), (1¼" O.S. Sheet 111 — Reference 460.810 to 458.810) was a length of the abandoned Chesterfield Canal towpath which in 1976 had been the subject of complaints from Jack Burling of Sheffield R.A. who found that housing developers, D. North of Sheffield, were about to block the towpath. However, the lethargic Council did nothing positive and allowed 13 houses to be built across the path before even advertising the Diversion Order 18 months after first receiving the complaint. They used Town & Country Planning Act, 1971 (S. 210) which we submitted only allows paths to be diverted to enable permitted development to take place and is not retrospective for the benefit of impatient builders. This legal point was put at the rather belligerent Public Inquiry where we also drew attention to the unsatisfactory nature of a diversion that replaced a towpath by an indirect estate road which fragmented the continuous nature of the whole towpath walk. The outcome was that the Department of the Environment accepted our legal argument and refused to confirm the Order. This concentrated both the developers' and the Council's minds wonderfully and eventually we settled for comprehensive signposting of the diversion and also the provision of a valuable new public path linking the towpath with a new village centre.

Ormskirk FP. 107 (West Lancashire District Council), (1¼" O.S. Sheet 108 — Reference 446.118 to 444.115) connects Mill Lane and Junction Lane at Burscough Bridge and runs for a short distance through the yard of Allied's Flour Mill. Allied had used every trick in the book to inhibit use of this path for years — including the locking of gates across it — is that despite the path connecting the two village railway stations, it was little-known or used. Complaints were made to the Council who proved weak and favoured the mill owners who argued vandalism and trespass as the reasons for wanting the path to stay shut. Therefore, the Council decided to advertise formal closure under Highways Act 1959

(S. 110) on the grounds that the path was "not needed for public use". This move naturally brought forth local objectors who contacted our member, Alan Howard, and myself with a request for assistance. Soon an independent West Lancashire Footpath Group had been formed to campaign for this and other local paths in a part of Lancashire where effective footpath work was rudimentary. A well-attended public walk over the path was arranged shortly before a lively Public Inquiry, over which government inspector, Mr. S. Reece, presided. His report, endorsed by the Secretary of State for the Environment, came down completely in favour of retention of the path and here is a relevant extract: "There has for so many years been such a determined and effective effort made to prevent its being freely used by the public, that it is surprising to learn that use survived at all. Vandalism and trespass are not factors relating to a question of public need. On the other hand the advantage afforded by the more pleasant and interesting surroundings over most of its length make it difficult to believe that this footpath is not needed by the public".

Wrightington FP. 30c (Lancashire County Council), (1¼" O.S. sheet 108 — Reference 500.120 to 503.122) was another "Section 110" closure contest with, on one side the County Council and quarry owners, Walter Martland Ltd.; and on the other, Wrightington Parish Council, local people and three footpath societies — Wigan, West Lancs. and us. That we did finally succeed was against all the odds. Footpath 30c at one time led straight up Hawett Hill to Mount Pleasant, a shapely eminence affording walkers marvellous views over the Plain to the coastline as well as the North Wales and Lake District mountains. In 1969 the old path and the ground beneath was "accidentally" blasted away since when people have followed an informal parallel route a few yards away. In 1975 the quarry owners and the authorities, despite a good campaign by Wigan Footpaths Society, succeeded in getting rid of the main connecting footpath at Mount Pleasant so that most of the hill could be blasted away. So, having the ground taken from under our feet — literally — and the destination of the path at Mount Pleasant taken away legally — footpath 30c was converted into a ghost footpath indicated on rights of way maps but with no physical existence and no legal destination. The County Council, then moved in to play their ace by formally advertising closure of footpath 30c which had become a cartographical embarrassment to them. But, perhaps, they under-estimated the strength of feeling by people angered at the continued erosion of their ancient rights. At the Inquiry efforts to discredit objectors for wanting to save a non-existent path that led nowhere made little impression on government inspector, Mr. H. Kettle, appointed to hear the case. In his report — subsequently supported by the Secretary of State's decision to refuse to sanction the closure — Mr. Kettle indicated that if the path had existed physically it would have been used extensively and

would be needed for future recreation. He also argued against those who say that a path must lead somewhere for it to be needed and cannot just finish at a dead end. He indicated quite rightly that there are many instances of useful and valuable paths which lead "nowhere", for instance to hilltops or viewpoints with people having to return the same way they came. All in all, this result was a most satisfying decision and one which should be quoted as appropriate in the future.

Altham FP. 7 (Lancashire County Council), (1¼" O.S. Sheet 103 — Reference 755.310 to 754.304) proved to be another quarry folly for the County Council who, this time in conjunction with Courtaulds, the owners of Accrington Brick & Tile Works, tried to exploit a legal planning loophole to gain an unfair advantage over footpath preservationists. Again it was a case where Alan Howard and myself were invited to assist local objectors and at the same time it was useful to renew our contact with the leading objectors, the Pennine Paths Protection Association. Footpath 7 is an ancient straight path that cuts over Whinney Hill, north of Accrington, and gives walkers excellent panoramas of the Ribble Valley and Pendle. So vital did the Department of Transport think the path, that when they were planning the M65 motorway nearby they made plans for a £50,000 footbridge to take the path over the motorway. Permission had been granted in 1949 to quarry on either side of the path but this permission was defective in that it made no mention of protection for the path. In the subsequent years quarries extended up to both sides of the path and in 1976 Courtaulds, who wanted to quarry it away, approached Lancashire County Council to see how they could legally get rid of it. They realised that they would never be able to prove that it was "not needed" and so they advertised the closure of the path under the Town & Country Planning Act (S. 210) to enable the 1949 planning permission to be completely implemented! At the two-day Inquiry, presided over by Inspector Mr. C. C. Eyres, facile economic arguments were trotted out to seek justification of the closure and the County Council made it only too clear that when it came down to the choice of preserving a valuable footpath or helping industry, footpaths came a very poor second. Fortunately, Mr. Eyres and the Secretary of State took a less blinkered view, perhaps considering, as we did, that to seek closure based on an inadequate 30 year old planning permission was just not good enough, and, therefore, closure was refused.

Cantley FP. 8 (Doncaster M.B.), (1¼" O.S. Sheet 111 — Reference 620.997 to 623.990) proved to be another abuse of T.C.P.A. Section 210 that turned sour on the applicants who were the Council and the Doncaster Golf Club. Footpath 8, known locally as Warren Lane, is a well-used, tree-lined, straight track connecting the mining village of New Rossington with Bessecar, that not only

provides a short-cut but also affords walkers a pleasant stroll over an extension to the golf course. Certain factions wanted the path removed to the irregular boundary of the course, ostensibly on the grounds of public danger from flying golf balls, but really we suspected to get rid of people on this prestigious course. The diversion offered was ludicrous, but someone had the bright idea of making it a condition of planning consent for the extension that the path had to be removed so that it could be argued legally that its removal was a necessary pre-requisite to the implementation of planning permission. There was formidable opposition including objections from nearly 2000 South Yorkshire miners who use the path extensively. At the Public Inquiry we joined forces with Doncaster R.A. and the Doncaster Amenity & Paths Protection Association to augment the tremendous local feeling against the diversion and to present a three-pronged amenity attack on this audacious proposal. We told government inspector, Mr. G. Cubby, that we considered it unethical to insert planning conditions in order to exploit a legal loophole in what seemed to us to be a deliberately-engineered "Catch 22" situation to thwart the objectors. Not only did the inspector and the Secretary of State find in favour of keeping the path on its straight line, but, interestingly, the report questioned the introduction of the notorious planning condition and also said that if there was considered to be a public danger from golfers, then perhaps it was the fair-ways which could be altered rather than moving the path. We applauded the inspector and the Department of the Environment for getting their priorities in the correct order in this case.

Another golf course controversy which raged throughout 1978 concerned the proposed rationalisation of a number of favourite footpaths across Dunham Forest Golf Course and related to **Altrincham Footpaths 2 and 4 & Bowdon Footpaths 19, 20 and 21** (Trafford M.B.), (1¼" O.S. Sheet 109). Some of the intended changes were reasonable but not so the proposed severance of the ancient east-west direct path from Altrincham to Dunham Town (O.S. Reference 750.877 to 745.876) and when the alterations were announced – using Highways Act, 1959 (S. 111) "to divert paths for the more efficient use of land" there was widespread objection, although agitation centred mainly on the disruption of the straight path. With an Inquiry scheduled there seemed little hope of an amicable solution available, but then two events occurred. One was that the Doncaster result above was announced and the other was that certain defects were discovered in the legal Order, so there was a hasty cancellation of the Inquiry. Informal meetings followed at which an acceptable compromise scheme was hammered out, the most important single element being the unconditional retention as a right of way of the straight path on its original alignment. Thus, common sense prevailed in the end, as indeed it does in 75% of the annual tally of footpath

alterations that the Society handles which are settled quietly, amicably and without fuss and with no disbenefits to pedestrians.

Huddersfield FP. 232 (West Yorkshire County Council), (1¼" Sheet 110 — Reference 109.139 to 112.137) was another curious example of a proposed diversion that was against walkers' interests and which resulted in an abortive and costly Inquiry to the applicant, Mr. D. Whitham of Crosland Moor airfield, as well as to the County Council, who together tried to get rid of a small but integral portion of the old direct path across Crosland Moor that connects South Crosland with Slaithwaite. Since the 1930's a small air-strip has operated on the Moor for private flights and the path crosses the tarmac strip which is little wider than a road and much less hazardous to cross. However, a little while ago when Mr. Whitham took over the air-strip he decided to get rid of the path and far too readily the County Council acquiesced in his request and promoted a Highways Act Section 111 Order to provide a "more commodious" diversion which was three times as long, less direct and considerably wetter underfoot! The many objectors were led by the Colne Valley Society who at the Inquiry also put forward good evidence for the existence of an additional right of way across the air-strip. The Inspector, Mr. I. Wyn Pugh, recommended against acceptance of the long-winded diversion, so that the original straight path stays and also, because of the fuss, an extra path has been unearthed and will no doubt be claimed at the Definitive Map Review.

Finally, a cautionary tale, which can be taken as a warning for footpath workers not to accept without question the supposed benefits of local authority-sponsored walking trails, such as are being increasingly promoted. Though the area in which this last case is situated is beyond the Society's limits, I am including brief details because it is of interest to Manchester walkers, but more importantly the result indicates current Department of the Environment policy when faced with demands for closure of little-used rural paths that suitably rehabilitated can become useful recreational assets. **Larkton FP. 6** (Cheshire County Council), (1¼" O.S. Sheet 117 — Reference 502.522 to 505.514) lies below Larkton Hill and is adjacent to The Sandstone Trail, the County Council's medium-distance recreational path. Footpath 6 follows an arrow-straight course for half a mile and connects with other paths southwards continuing on the same alignment, the whole chain being fascinating to map-and-sight navigate. As a part of a questionable deal within the Trail concept the Council's Countryside Department proposed outright closure of Footpath 6, to which I objected, on a strictly personal basis. A Public Inquiry eventually took place, but I shall not bother to relate all the details and shall merely quote from the Inspector's report, (Mr. C. C. Eyres): "Larkton No. 6 is part of the network of paths south of Larkton Hill and provides half a

mile of walking across fields in pleasant open countryside. If Footpath No. 6 were unavailable walkers could have a rather disconcerting road walk. If Footpath No. 6 were to be more widely known there is every likelihood of it being used since it provides an attractive alternative to The Sandstone Trail. Its retention is, therefore, advantageous and can be regarded as an added dimension to the Trail". His recommendation was endorsed by the Secretary of State and, therefore, this valuable and curious path is retained for future generations. I hope that people may be encouraged by this case to lodge their own individual objections to undesirable closures **wherever** they may occur and to sustain their objection, since they can rest assured that they will get a fair Public Inquiry and decision, and as likely as not, save a useful path for posterity.

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**PUBLIC INQUIRY AT THE COUNCIL OFFICES, CHEADLE,
STAFFORDSHIRE ON THE 4th AND 5th APRIL, 1978**

Mr. J. W. Vernon, C.M.G., M.A., Barrister Presiding

This inquiry was called as a result of objections to the Draft Revised Map prepared by Staffordshire County Council in respect of Roads used as Public Paths in the former Cheadle Rural District. Objections had been lodged by the Manchester 17 Motorcycle Club, and the British Motorcycle Federation, to the classification given to nineteen of these rights of way by the County Council. In several cases, the horse riding fraternity had also lodged objections. All the objections by the motorcyclists were on the score that RUPP's reclassified as Footpaths or Bridleways, should be Byways Open to All Traffic. The horse riding folk claimed that those RUPP's which had become footpaths should be bridleways, while at the same time objecting strongly to any of them being reclassified as byways.

As details of the nineteen paths were received from Staffordshire County Council only fifteen days before the Inquiry was to take place, some quick preparation work was called for. Inspection of the paths and note taking on site was carried out on Wednesday 22nd, Friday 24th, Sunday 26th and Friday 31st March, 1978, and typing and duplicating was only completed the day before the Inquiry started.

My evidence was arranged as:

(a) **GENERAL STATEMENT**, pointing out the adequate provision of metalled roads for motor traffic, and the value of old tracks as wild life habitats, and ways of quiet seclusion. Attention was drawn to interference with farm work, and possible danger to other users. Attention was also given to the somewhat casual way in which the RUPP classification was sometimes used in the early 'fifties' to include private roads, farm tracks and ancient drovers' tracks over which there has never been any more than public footpath rights; this was given some weight in my argument.

(b) Each path was inspected thoroughly and a report made as to origin, environmental value, and unsuitability for use by motor traffic and in some cases for horse riding. A set of these reports, nine sheets in all, was handed to our secretary shortly after the Inquiry.

Represented at the inquiry were the British Motorcycle Federation Manchester 17 Motorcycle Club, National Farmers' Union, Horseriding Federation, Peak Park Joint Planning Board, R.A., C.P.R.E., Landowners' Association, Peak and Northern Footpaths Society, and Staffordshire County Council. The Motorcycle Federation, N.F.U., Landowners' and the Planning Board and County Council were represented by a barrister or a professional expert. Also present were a number of individual farmers, landowners, riding school and stable proprietors, motorcyclists and folk interested in footpaths and conservation — some of these individuals gave evidence

on their own behalf.

The chief objectors, the Motorcycle Federation and the Manchester 17 Motorcycle Club, based their argument largely on the idea of "once a road always a road", from an enactment dating back to around 1910. In fact, the enactment of 1910 introduced the maxim, "once a highway, always a highway"; the term highway in this context included footpaths and bridleways, and also many private ways over which some restricted rights may have been agreed in an endeavour by the landowner to avoid or reduce land tax payable. The motorcyclists pressed this aspect of their argument so strongly as to imply that such a thing as a RUPP never was, and the three considerations for deciding classification were virtually meaningless; this overplay gave opportunity for some questioning to undermine their case. The partially crippled motorcyclists engaged by the Motorcycle Federation to gain sympathy were present and told their usual story, but appealing though it may be, it breaks down on the truth that these gentlemen are in no way representative of the mass of lively, exuberant motorcyclists.

Of interest is the different interpretations of "consideration b, whether the way is suitable for motor traffic" The motorcyclists consider a way suitable if it can be traversed by a motorcycle without damage to the machine or injury to the rider. Conservationists and walkers consider a way suitable only if it can withstand use by motor vehicles without damage to the surface and serious deterioration of the nature of the way.

The N.F.U., individual farmers and the Landowners' Association, relied on evidence and argument to show that the ways in question were farm tracks, private roads, or old drovers' tracks, over which there never had been anything but public footpath rights or, in a few instances, bridleway rights, although generally horseriders seemed no more welcome than motorcyclists. It was pleasant and interesting to find oneself for a change on the same side as the farmers and landowners. All, except the motorcyclists and the horse riding folk, supported the classifications decided upon by the County Council.

The Inquiry was followed by a site inspection by the Inspector, accompanied by a member from the County Planning Department, a representative of the Peak Park Joint Planning Board, a motorcyclist and myself. The inspection was thorough; the inspector allowed mention of aspects such as width, surface, surrounds and ownership, provided they were matters that had been included in the evidence at the inquiry. In general it is felt that the inquiry went favourably for our views, although in a few cases it seems inevitable that there will be a reclassification to byway. I have, as yet, not received notification of the results of the inquiry.

F. R. MASON

ANNUAL DINNER 1978

Our Sixteenth Annual Dinner was partaken of in new surroundings — amidst the palatial portals of the Masonic Temple in Manchester — a new venue for the Society.

We were pleased to welcome our speaker and guest, who on this occasion was the new Chairman of the Peak Park Joint Planning Board — and also of Derbyshire County Council — Councillor G. N. Wilson and his lady.

As a Society we have always had a close contact with the Board, and it is always a pleasure from time to time to extend our hospitality to its officers.

Over the years our Dinner has been one of the most pleasant occasions in the history of the Society and it is especially nice to note that several members attend regularly on every occasion.

What with good company, excellent food, and a first class speaker another memorable occasion soon came to a close, but as always, many members tended to linger with their friends and reminisce over another glass of wine or ale, for a nightcap.

L.G.M.

MID-WALKS WALKS — SUMMER 1979

The walks are for Footpaths Inspection purposes and are all moderate. Times of trains and buses should be checked. Further details from Mr. Fred Darwin, 15 Myford Walk, Cheetham, Manchester 8. Tel : 061-792 6360.

- April 11 WINTER HILL. 10.25 No. 8 bus Salford Bus Station. Book to Bolton, where leader (Len Chadwick) meets party.
- May 9 ENTWISTLE. 09.55 train from Manchester Victoria. Book Entwistle return. **Leader:** Fred Darwin.
- June 13 DISLEY. 10.20 No. 199 bus from Mersey Square, Stockport, book to Alder Grove. **Leader:** Jack Matthews.
- July 11 WOODFORD. 09.55 No. 148 bus from Piccadilly, OR 10.05 No. 190 bus from Piccadilly. Book to Woodford. **Leader:** Betty Maybury.
- Aug. 8 DELPH. 09.41 No. 183 bus from Lever Street. Book to Delph. **Leader:** Ted Jessop.
- Sept. 12 BLACK ROCKS AND BOWSTONES. 10.05 train from Piccadilly Station, book Newtown return. **Leader:** Norman Ings.

SIGNPOST SUPERVISORS' REPORT

At the request of Buxton H.F. and C.H.A. Rambling Club we provided and erected, with the help of club members, signposts at each end of a thru' route between Burbage, MR. 035723, and Lamaload, MR. 976750. We have also provided a signpost and memorial plaque for the Altrincham C.H.A. Rambling Club for erection on Back Lane Arley at the junction with Firs Lane, MR. 675813. After much searching and numerous visits we found a suitable site, and obtained agreement and authority for the erection of a four arm S.P. as a memorial to Norman Redford, near Flash, when circumstances permit. We have applied to erect a S.P. on Lose Hill, but have made little progress, and have recently replaced the renovated S.P. on the Otterspool Bridge F.P. at the farm end on Mill Lane — we had local help for this task. The Local Authority have given agreement for the erection of several S.P.'s on paths within the Macclesfield Forest area. There is much work outstanding — although I have resigned as Signpost Supervisor, I will press on as well as I can until a replacement is found, but I cannot promise to do any better than in the past.

Since starting this report I have learned that the S.P. recently replaced on the Otterspool Bridge F.P. has been dismantled by vandals. This sign comprised a three inch diameter plastic coated steel post, fitted with a plastic cap and heavy cast iron base — the whole securely set in concrete. The metal arm was secured by clips, fastened by 5/16" nuts and bolts, locked by mutilating the threads, and protected from removing by use of spanners, by a liberal application of Araldite on nut and bolt heads. The arm was locked against swivelling on the post, by self-tapping screws through holes in the clips and into the post. These were also protected with Araldite. Now only the post is left — this destruction could only have been carried out with the help of good tools; hacksaw and levers. It must have been a local worker; one cannot imagine a vandal carrying the necessary tools on a considerable walk just to destroy a signpost. The plaque which was attached in the same way as the arm, has also been removed. Such are the delights of signposting our footpaths!

F. R. MASON

FOOTPATHS REPORT FOR 1978

Cheshire County Council

Bollington F.P. 42. (Macclesfield D.C.) The D.O.E. have decided to close this long built-over path and have refused to consider a new route although one is available. They have used, in justification of their decision that no one complained about the obstruction before the Council tried to close it.

Disley F.P. 40. (Macclesfield D.C.) Owing to a procedural error part of this order had to be re-advertised. There is a half-completed house built over this portion. Order subsequently confirmed. A sad end to a long drawn out case.

Lymm F.P. 35. (Warrington B.C.) An unreasonable diversion of a short cut path. The Society to oppose.

Macclesfield F.P. 19. (Macclesfield B.C.) This path could be left alone instead of being routed on to estate roads. Society objecting.

Mobberley F.P. 13. (Macclesfield B.C.) This important case has been on the Society's books since 1973. Cheshire C.C. are in effect challenging the validity of the Definitive Map by saying that the path was included in error. Inquiry fixed for 5.1.78 but subsequently cancelled since Council had not complied with statutory procedures. Fixed again for 25.5.78 but withdrawn again due to inaccuracies.

Poynton F.P. 77/78. (Macclesfield B.C.) The Council have deliberately split this once composite order into 4 separate parts and advertised each separately and at different times to confuse the issue. Two of the parts are anticipated and will result in road walking. The other two are not yet built over but will result in estate road walking. Inquiry fixed for 7/8 December 1978.

Wilmslow F.P. 57. (Macclesfield D.C.) See 1977/78 report. Diversion away from buildings confirmed. The Inspectors comment that the Society's representative did not reside locally and therefore had no real connection with local feeling was felt to be totally unacceptable and a formal complaint was lodged with the Regional Director D.O.E. in June 1978. Despite reminders a reply to the complaint is still awaited.

Derbyshire County Council

Bamford F.P. 3. (Peak Park) Unnecessary diversion on to estate roads, Parish Council objecting along with many locals. The Society supporting the local objectors.

Chapel-en-le-Frith/Whaley Bridge By-pass. Inquiry fixed for 7.11.78 but abandoned after three hours when D.O.T. admitted that necessary notices had not been posted. Subsequently re-convened for the 16.1.79.

Dronfield F.P. 14. (N.E. Derbyshire D.C.) A T. & C.P.A. application so in the present climate little chance of success.

Dronfield F.P. 17. (N.E. Derbyshire D.C.) Another "House over path" case. This is an important North/South link route. There is just space to divert path by the side of 2 houses but Council want to extinguish instead.

Hope F.P. 33/Castleton F.P. 29. (P.P.P.B.) The Planning Board have tentatively suggested a slight diversion to obviate the need to have the path running through the farmyard. This is only being advanced due to the farmer's attitude. The Society to maintain a watching brief.

Killamarsh F.P. 17. (No. 3 Order), (N.E. Derbyshire D.C.) Objection lodged on procedural grounds but due to Christmas intervening Council said that they did not receive the Society's letter until after the closing date for objections. Sharp practice suspected! D.O.E. subsequently threw out the proposed diversion of this canal towpath on to estate roads but Inspector did not recommend our alternative by backs of gardens. Further order anticipated.

New Mills F.P. 46/48. (High Peak B.C.) Council propose minor but unnatural diversion to placate a farmer. Objection lodged.

North Wingfield F.P. 23. (N.E. Derbyshire D.C.) Inquiry held 21.12.77. Council admitted that the path was used and it became clear that the motive behind the attempted closure was political. Subsequently the D.O.E. decided on closure (despite it being used and having an admitted potential as a short cut in a developing area) on the grounds that there was an alternative and that its continuance would be an inconvenience to some adjoining occupiers. A bad decision!

Outseats F.P. 14. (West Derbyshire D.C.) Most of this diversion all right but one small section should be left out of the order.

Poolsbrook F.P. 35. (Chesterfield B.C.) This closure proposal is in respect of a path already obstructed by N.C.B. activities. It has been temporarily closed to enable them to reinstate it. Objection lodged.

Whitwell F.P. 19. (Bolsover D.C.) Inquiry fixed for the 23.11.78.

Greater Manchester Council

Altrincham F.P. 6. (Trafford M.B.) Trafford Council have consulted us over their proposals to close the old "Roman Road" F.P. connecting Norman Road and Oldfield Road and divert it onto the line of a future road. Objection is recommended since the hospital (for which the closure is wanted) can be built and the historic alignment still substantially retained. Objection to be lodged.

Ashton F.P. 2. (Tameside M.B.), (Arnfield Works, Guide Bridge) This is a well used path through an engineering works and its proposed closure is being strenuously resisted locally. The order advertised direct by the D.O.E. (under Section 209 T.C.P.A.) since Tameside Council refused to advertise it. Planning Permission for works extension granted on the understanding that a new alternative near the Tame Valley was to be provided. Now it is the intention not to provide the alternative. Objection lodged.

Blackley - Bottomley Side. An important urban path used as a short cut and for access to a public house "The Old House at Home" which I.C.I. want to close down and demolish. The alternative will be longer and on an industrial site road.

Bramhall F.P. 48. (Stockport B.C.) This proposed diversion by Wimpey is now acceptable in its revised form.

Denton F.P. 32. (Tameside M.B.) See 1977/78 report. The diversion onto estate roads now confirmed - not an altogether unexpected decision.

Dunham Forest Golf Course. (Trafford M.B.) This proposed diversion of paths across the golf course attracted around 40 separate objectors and the D.O.E. announced that there would be a public inquiry which was subsequently withdrawn.

Greengate, Middleton. (Oldham M.B.) See 1977/78 report. The D.O.E. have decided that heavy industry can build on this last piece of open land between Middleton and Chadderton. Footpath diversions already agreed in anticipation of this decision.

Heywood F.P. 95. (Rochdale M.B.) Originally G.M.C. told Rochdale M.B. they would oppose any closure move as the path was a "Valuable one to ramblers". There has, however, been some "Behind the scenes" activity and G.M.C. have now climbed down since they consider the definitive map included the path in error. Objection lodged.

Leigh F.P. 41/44. (Wigan M.B.) In 1973 the Society objected to a T.C.P.A. order diverting these paths on to estate roads. The houses had been built and the D.O.E. refused to confirm the order. The Council then applied to the Magistrates Court for diversion on to estate roads which they granted despite objection by the Society.

Manchester F.P. 121. (City of Manchester) British Rail propose the closure of this path at Longsight using a Parliamentary Bill. It could quite easily be diverted. Objection agreed.

Marple F.P. 64. (Stockport M.B.) The D.O.E. have confirmed the 1968 revocation order and the 1976 Diversion order. This was expected but is totally unsatisfactory and illustrates how an authority can frustrate previously confirmed orders.

Middleton - Scowcroft Farm. (Rochdale M.B.) Three paths proposed for diversion, new lines acceptable but builders have built over the line of path and have sold at least three houses. Objection lodged and prosecution asked for.

Standish Bridleway 8. (Wigan M.B.) A T.C.P.A. Order diverting a streamside Bridleway on to an estate road. G.M.C. objected as Highway Authority and there are other local objectors including the R.A. and Wigan Footpaths Society.

Tyldesley F.P.s. 175/179/181/183/184/186 (Wigan M.B.) The Local Authority have advertised 17 closures/diversions of paths for a huge housing development. These are six of the most contentious and fragment the system by putting the paths on to estate roads.

Tyldesley F.P. 190. (Wigan M.B.) The actual line of this diversion is all right but it is considered that the Council are manipulating the law by using Section 210 T.C.P.A. the houses have been occupied for years.

Lancashire County Council

Haslingden F.P. 368. (Rochdale B.C.) Rochdale wished the Society to withdraw objection and they would make a creation order over a portion of the same path leading from Campion Drive to Daffodil Close. They expected objection from adjoining landowner and then an inquiry would follow at which we would support the Council. The Society felt that this was far too risky and it was agreed that the Council be asked to approach the D.O.E. to modify the order to exclude the small piece connecting the aforesaid roads. If this were done then we could withdraw our opposition to the rest of the order.

Withnell F.P. 29. (Chorley D.C.) D.O.E. confirmed extinguishment under T.C.P.A. We have objected on legal grounds arguing that the Department should not consider closure of a length unaffected by development proposals. The Inspector did not report this factor to the Secretary of State and now D.O.E. say we must challenge in the High Court if we wish to take it further.

Wrightington F.P. 30c. (Lancashire C.C.) A proposed extinguishment of a quarried path, the Society supported by local objectors.

Merseyside County Council

West Sutton F.P. 8. (St. Helens M.B.) Council propose closure (using T.C.P.A. Section 210) for tipping but path is at edge of site and can easily be left alone. This is an essential urban link between two parks in this part of St. Helens.

West Sutton F.P. 21. (St. Helens M.B.) The Council and Pilkington Glass propose closure of a potentially useful footbridge as it has fallen into a state of disrepair. This is a Section 108 H.A. application to St. Helens Magistrates on 4.1.79. The Society will appear as joint objectors with the local Footpath Society.

South Yorkshire County Council

Cantley F.P. 8. (Doncaster D.C.) See Closure & Diversion Secretary's article.

Deepcar F.P. 31. (Sheffield M.B.) Inquiry held 1.3.78 with R.A. as co-objectors. Result awaited.

Sheffield F.P. 407. (Sheffield City) South Yorkshire C. C. used an obscure local act to close this path and it was subsequently revealed that they hope to re-enact this power to apply to all South Yorkshire in a similar manner to the original proposals in the Greater Manchester Bill.

South Normanton F.P. 2/8. (Bolsover D.C.) The "Explosives Factory" case. The D.O.E. decided that one of the paths had been closed after all in 1956 thus leaving all the other paths as dead ends, which they have now formally extinguished.

South Normanton F.P. 20. (Bolsover D.C.) A Section 111 H.A. case where Barrats the builders have apparently deliberately built over the path. Co-objectors with S.Y.N.E.D.R.A.

Staffordshire County Council

Norton-in-the-Moors F.P. 21. (Stoke-on-Trent D.C.) We have been alerted by our local Inspector about a proposed closure order under a local Act. Objection has been lodged but if the Council decide to go ahead we will have to lodge an appeal in the Crown Court.

West Yorkshire County Council

Colne Valley F.P. 207. (Kirklees M.B.) Council proposes closure of a long obstructed path using H.A. 1959 Section 110. The obstructions are by a wall at one end and a Council house at the other. A slight diversion is available at both ends.

Denby Dale F.P. 50. (Kirklees M.B.) The Council propose to close a well used path giving good views so that some householders can incorporate it into gardens. Tremendous local opposition to which we have added our own.

Holmfirth F.P. 3. (Kirklees M.B.) Hearing scheduled for 17.5.78. A complex quarry path case which has already had a 4 day local inquiry under T.C.P.A. at which the objectors won. Now the quarry owners and the County Council are trying to achieve the same ends by using the Highways Act.

Holmfirth F.P. 72. (Kirklees M.B.) See 1977/78 report. This is the house over the path case at Broad Lane, Upperthong. The R.A. who were co-objectors in this case appealed to the High Court against the D.O.E. decision. The appeal was dismissed but the R.A. are to take the case to the Court of Appeal.

Holmfirth F.P. 122. (Kirklees M.B.) An offer by the builders to provide a new path not related to that which was illegally blocked, was rejected by the Society.

Huddersfield F.P. 107. (Kirklees M.B.) A T. & C.P.A. diversion proposal for a new industrial estate. The diversion is unreasonable and alternative routes are being evaluated.

Huddersfield F.P. 232. (Kirklees M.B.) The "Airfield" case. The D.O.E. have decided not to divert path away from airfield. A satisfactory decision!

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, 1977/1978 Report).

Having fully ascertained the facts, Inspectors should write to the appropriate local authority or, if in difficulty, to the Secretary (Quoting map, grid reference and official path number, if available). 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, 1978

1977 EXPENDITURE				1977 INCOME			
£	p	£	p	£	p	£	p
295.00			343.00	122.00			118.00
45.00			58.10	107.25			93.00
				45.04			48.64
200.00			401.10				.50
168.93			200.00	150.28			172.26
77.71			189.25				
			195.44	424.57			432.40
73.37				223.90			150.65
1.25		122.42		1252.90		1348.19	
14.48		7.72		94.34		100.60	
		35.14		30.83			1448.79
60.45			165.28				5.45
33.90			82.10				
12.00			44.20				
10.00			12.00				
12.32			5.20				
5.00			6.55				
6.00			5.00				
6.50			12.00				
147.32							
130.00		125.83					
		123.50					
			2.33				
1039.23			1320.45				
987.31			716.84				
£2026.54			£2037.29	£2026.54			£2037.29

BALANCE SHEET AS AT 31st DECEMBER, 1978

1977				1977			
£	p	£	p	£	p	£	p
FUNDS:—				DEPOSITS AND INVESTMENTS:—			
10184.75		General Fund — Accumulated Balance	11323.26	10301.02		Investment at cost (a)	10076.10
1982.67		Defence Fund	1997.17	1760.27		Bank Deposit	2104.43
232.23		Survey Account	232.23				12180.53
66.59		Signpost Account	179.81			CURRENT ASSETS:—	
175.08		Arthur Smith Memorial Fund	175.08	186.02		Stock of 150th Anniversary Books	179.27
79.66		Edwin Royce Memorial Fund	79.66	427.13		Debtors — Inland Revenue	449.10
			13987.21	446.94		Cash at Bank	1648.07
				15.00		Cash held on petty cash imprest A/c	15.00
		LIABILITIES					2291.44
—		Received in Advance	40.00				
10.00		Creditors	7.00				
405.40		10-year Subscription Suspense A/c	437.76				
			484.76				
<u>£13136.38</u>			<u>£14471.97</u>	<u>£13136.38</u>			<u>£14471.97</u>

(a) INVESTMENTS at Cost—

Local Authority Loans
Local Authority Stocks
Treasury Stock
Public Corporation Debenture Stock
Ordinary Shares

£	p	£	p
1500.00		1500.00	
2901.12		2955.00	
990.33		1094.50	
2792.07		3040.00	
1892.58		2160.97	
<u>£10076.10</u>		<u>£10750.47</u>	

Market Value
at 29th Dec. 1978

R. Walsh, Honorary Treasurer

AUDITORS REPORT—I have examined the Accounts for the Year ended 31st December, 1978 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, 1978.

D. STAUNTON, Hon. Auditor,

FUND BALANCES

	Balance at 1st Jan. 1978	Income during year	Expenditure during year	Balance at 31st Dec. 1978
	£	£	£	£
General Fund—Accumulated Balance	10184.75	(a)421.67 2037.29	1320.45	11323.26
Defence Fund	1982.67	14.50	—	1997.17
Survey Account	232.23	—	—	232.23
Signpost Account	66.59	114.45	1.23	179.81
Arthur Smith Memorial Fund	175.08	—	—	175.08
Edwin Royce Memorial Fund	79.66	—	—	79.66
	£12720.98	£2587.91	£1321.68	£13987.21

(a) Profit on realisation of investment

LIST OF AFFILIATED SOCIETIES – 1978

Alderley Edge, Wilmslow & District Footpath Preservation Society.
Backpackers Club.
Barnsley & District Footpath Society.
Barnsley Mountaineering Club.
Blackbrook Conservation Society.
Border Bridleways Liaison Group. N. E. Cheshire & N. W. Derbyshire.
Bramhall Methodist Young Wives Association.
British Naturalists Association – Manchester Branch.
Brook Road Wesley Guild.
Buxton Field Club.
Buxton H.F. & C.H.A. Rambling Club.
Cheadle Hulme Community Council.
Chesterfield Spire Rambling Club.
College of Adult Education Rambling Club.
C.E. Holiday Homes – Blackpool.
C.E. Holiday Homes – Liverpool.
C.E. Holiday Homes – Sheffield.
C.H.A. & H.F. Ashton-under-Lyne & District.
C.H.A. Altrincham & District.
C.H.A. Birch Heys – Manchester.
C.H.A. Rambling Club – Bury & District.
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 'A' Rambling Club.
C.H.A. Sheffield Section 'B' Rambling & Social Club.
C.H.A. Stockport Rambling & Social Club.
Crescent Rambling Club.
Derbyshire Pennine Club.
Disley Society.
Good Companions Rambling Club Sheffield.
Halcyon Rambling Club.
Hanliensian Rambling Club.
Hazel Grove & District Owner-Occupiers Association.
Head for the Hills – Sussex Group.
Heathfield & District Owner-Occupiers Association (Tyldesley).
Holiday Fellowship – Bolton Group.
Holiday Fellowship – Bury Group.
Holiday Fellowship Ltd. – London.
Holiday Fellowship – Manchester Group.
Holiday Fellowship – Sheffield Group.
Holiday Fellowship Field & Fell Club – Rochdale Group.
Holme McDougall Ltd. – Publishers & Printers.
Littleborough Civic Trust – Footpaths Group.
Longendale Footpaths Preservation Society.
Macclesfield Rambling Club.
Macclesfield & District Field Club.
Manchester Associates Rambling Club.
Manchester & District Rambling Club for the Blind.
Manchester Fellowship Rambling Club (Independent).
Manchester Pedestrian Club.
Marple & District Rambling Club.
Mid-Cheshire Footpaths Society.
Moor & Mountain Club.

