

THE PEAK DISTRICT AND
NORTHERN COUNTIES
FOOTPATHS PRESERVATION
SOCIETY

REPORT
OF THE COUNCIL

For the Year
ended 31st December
1944

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The Peak District & Northern Counties Footpaths Preservation Society

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29 Brown Street, Manchester, 2: DEAnsgate 4276

REPORT

FOR THE YEAR ENDING DECEMBER 31, 1944.

THE Council of the Society has pleasure in submitting to the members the Report for the year ending December 31, 1944, during which period many matters of outstanding interest have been dealt with. More than the average number of complaints of obstruction and disrepair of footpaths and footbridges have been reported and the necessary investigations made. In addition to its usual work of preservation of footpaths the Society has taken a very active part in connection with the Requisitioned Land and War Works Bill, the Cauldon Low Cement Works Inquiry and the proposed Leicester Corporation Reservoir. The many calls made upon the Society have resulted in your Secretary and Footpaths Inspectors being considerably overburdened with work, but nevertheless, as will readily be observed from the Report, most of the matters have already been brought to a successful conclusion. Naturally such a volume of work will be reflected in increased expenditure and liabilities, and an appeal is made later in this Report for adequate support to enable your Council to undertake such extra burden of work when called upon to do so.

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

REQUISITIONED LAND AND WAR WORKS BILL.— In January, 1944, the Minister of War Transport sought the comments of the Commons, Open Spaces & Footpaths Preservation Society and of the County Councils Association, the Association of Municipal Corporations and the Urban District Councils Association on clauses, relating to the stopping up and diversion of highways, forming part of a proposed Acquisition of Land (Defence) Bill, which the Government intended to place before Parliament. The Commons Society invited your Secretary's observations preparatory to forwarding its comments.

The Bill entitled the Minister of War Transport by order to authorise the permanent stopping up or diversion of any highway (which includes footpaths) at present stopped up or diverted in the exercise of emergency powers. If a highway was not authorised to be permanently stopped up or diverted such highway might be kept stopped up or diverted until the expiration of two years from the end of the war period (which could be prolonged to nearer three years in certain events) even if the stopping up or diversion thereof was no longer required for

war purposes. The Minister could *if he thought fit* require the provision of an alternative highway in lieu of any highway stopped up under the order. Before making an order the Minister was required to give notice of his proposals in two or more newspapers circulating in the locality in which the highway was situate and to the appropriate local authority. Any such notice was to state that the order would be made unless within such period (not being less than thirty days) as might be specified therein notice of objection to the order was given to the Minister by some person affected thereby. If any notice of objection was so given the Minister should *unless he considered an Inquiry unnecessary*, cause a local Inquiry to be held. If any objection had been duly made either at the Inquiry or otherwise and not withdrawn then, unless the Minister was of the opinion that the objections were *frivolous*, he could make the order as a provisional order, which should have no effect until confirmed by Parliament. Any aggrieved person dissatisfied by an order had the right to appeal to the High Court—but only as to the validity of the order.

In his comments on the proposals your Secretary submitted 10 amendments which he suggested should be accepted by the Minister of War Transport as being fair and reasonable.

At a meeting subsequently convened by the Minister of War Transport (to which your Secretary was invited) to consider the comments made by the Commons Society and the other Associations the Minister intimated that he was prepared to concede two of the suggested amendments, namely, that Societies should have the right to object to orders, and also that paths closed for ploughing under Defence Regulation 62(5A) should be excluded from the Bill.

Nothing further transpired for over eight months, when in October last the Minister of War Transport forwarded to the Commons Society for that Society's observations amended clauses for inclusion in the Bill (now to have the new title of Requisitioned Land and War Works Bill). Although the title had been altered the Bill itself was in effect in terms similar to its predecessor and no less unjust. In fact in certain respects the clauses were distinctly less favourable. Whilst it was pleasing to observe that two of your Secretary's suggested amendments had been conceded, namely (1) That paths closed or diverted under Defence Regulation 62(5A) had now been definitely excluded and (2) That copies of notices, in addition to being advertised in the press, had to be displayed at each end of a path proposed to be permanently closed or diverted, it was very disturbing to find that the Minister no longer intended to

deal with objections to orders at a local Inquiry. In lieu a Commission was to be set up under the Bill to deal with matters arising thereunder—principally regarding the amount of compensation payable. Any objections to an order were to be referred to the Commission for a report as to whether the order could properly be made either as proposed or with such modifications as might be specified in the report, or that no order be made. There was no provision made for the Commission to hold an Inquiry for the purpose of hearing objections, and as the Commission was to be a paid body appointed by the Treasury, it seemed only reasonable to assume that decisions of the Commission might favour the Treasury—particularly as no doubt the members of the Commission would not be chosen for their knowledge of the rights enjoyed by the public from time immemorial and the necessity for those rights to be increased rather than diminished. But, whatever the composition of the Commission, there was little need for it to bother over much about public rights, for whatever recommendations it made, the Minister had an overriding power under the Bill to ignore such recommendations in whole or in part, providing that before proceeding to make an order he laid before both Houses of Parliament a copy of the report and a statement of the reasons why he intended to proceed to make the order notwithstanding the report! In the original proposals (as previously mentioned) whenever objections to an order had been made and not withdrawn, the Minister could only make the order as a provisional order and it was to have no effect until confirmed by Parliament. This method was at least a safeguard to the public, as it meant that the objections must come to the knowledge of Parliament; but the suggested process of “laying” the papers before Parliament meant that unless a member of Parliament was particularly zealous and made it a practice to peruse all papers laid before Parliament, the objections would go unheeded—a vital difference in parliamentary procedure. Furthermore, under the new proposals if the Commission received objections to an order but made a report in terms acceptable to the Minister—even though it was unacceptable to the public—there would be no necessity for such an order to be laid before Parliament.

The comments of your Secretary were again invited by the Commons Society and he prepared a very lengthy Memorandum outlining the many amendments which he considered necessary before the Bill could be accepted by ramblers and the public generally. The comments were included in those forwarded by the Commons Society to the Minister of War Transport. The Bill was presented to Parliament on the 20th December last and a

perusal of the Bill (copies of which were not obtainable until early in January, barely a fortnight before the second reading should have taken place) showed that three more of your Secretary's suggestions had been conceded, namely (1) That the time within which objections should be made had been extended from one to three months; (2) That Footpaths Societies were entitled to object, and (3) That whenever an order had been objected to and referred to the Commission for a report, the latter body had to afford to any person (which would include a Footpaths Society) who made such objection an opportunity of appearing before and being heard by a person appointed for the purpose by the Commission whether at a public Inquiry or otherwise. A perusal of the Bill showed that "war period" had been defined as the period during which the Emergency Powers (Defence) Act, 1939, remains in force. Accordingly any path not re-opened before the last mentioned Act comes to an end will, under the Bill (even if it is not to be the subject of an order for permanent closing or diversion) remain closed for two years after the cessation of the Emergency Powers (Defence) Act—whether or not the path is no longer required for war purposes—unless an owner or government department of their own volition re-open the path earlier. There would appear to be no provision in the Bill whereby the Minister could order a path to be re-opened before the end of the two years even where land has ceased to be used for war purposes and it is clear that a permanent order is not going to be sought. Your Council feels that this is most unreasonable.

It was not until the Bill was published that it became generally known that the Government was taking powers whereby common land and open spaces could be purchased (in lieu of restoring such land to its pre-war condition) and the rights of the commoners then extinguished to enable the land to be sold at an enhanced price. This grave threat to public rights and also the stopping up of footpaths (possibly the greatest threat since the Inclosure Acts) caused widespread opposition expressed both in the press and within Parliament. Representations have been made by your Council to the Minister of War Transport, in which the various objections to the Bill have been dealt with, and the necessary amendments submitted. The memorandum reads as follows:—

- (1) No path should be permanently closed or diverted for the purpose of increasing the value of land with a view to sale.
- (2) Except in extreme cases, no path should be permanently closed unless a suitable diversion is provided. As regards field paths (with which the Society is mainly concerned) the improvement of a nearby highway

(which the pedestrian will have to share with vehicular traffic) is certainly not a reasonable diversion.

- (3) The period of two years after the end of the war period is too long. As presumably the end of the war period will be a later date than the actual date of cessation of hostilities it is considered that in most cases paths could be re-opened within six months from the end of the war period—which (with the time that will elapse between the cessation of hostilities and the termination of the Emergency Powers (Defence) Act 1939—from which the fixed period runs) will give ample time in which to enable government departments to decide whether they require to apply for orders for permanent closing or diversion. It is realised that in some cases the period of six months may be too short but my Council would urge that the shorter period of six months should be substituted in clauses 19 and 20 for two years which would apply to all highways, with a proviso that if you are reasonably satisfied in a particular case that a longer period than six months is necessary you can (with the consent of the Commission—subject to right of objection by the public) direct that the period be extended up to a further six months.

Under the Bill an application need not be made until practically the end of the period, which would considerably increase the period before the path was re-opened if the order was not granted. It should not be possible for this prolongation to take place.

- (4) There is no provision in the Bill enabling a path to be re-opened before the end of the fixed period when it has ceased to be used for war purposes. Accordingly every path not re-opened before the cessation of the Emergency Powers (Defence) Act, 1939, can remain closed for the full fixed period unless an owner or government department of their own volition re-open it earlier. A path crossing land ceasing to be used for war purposes should no longer be within the Bill unless an application for an order has been made within three months from the end of the war period.
- (5) If any notice of objection has been duly made and not withdrawn the order should only be made as a provisional order until it has been *confirmed* by Parliament. This provision was in the original draft (clause 3 of the Fifth Schedule) when the Bill was intitled “Acquisition of Land (Defence) Bill,” but for some reason has been changed to the detriment of the public. Under the present provisions, before proceeding to make an order otherwise than in accordance with the report of the Commission, you have to lay before both Houses of Parliament a copy of the report and a statement of the reasons why you intend to proceed to make the order notwithstanding the report. Moreover if you are prepared to make an order in the terms of the report, the order becomes effective without the report and statement being laid before Parliament—notwithstanding the fact that the order is not acceptable to the public and objections thereto have been made and not withdrawn. In neither case is this procedure a safeguard to the public, and the order should be specifically confirmed by Parliament before becoming effective.
- (6) An appeal to the High Court should lie on the ground of necessity for an order in addition to validity.
- (7) The importance of preserving existing open spaces for the public enjoyment has been recognised by Parliament and in the various statutes passed during the present century a provision has been

inserted to the effect that where land proposed to be acquired is or forms part of a common or open space an equivalent area of open space must be provided in exchange. Such principles should be recognised and accepted in the Bill. In particular no common land should be retained and the rights of the commoners should not be extinguished merely for purposes of sale and profit.

- (8) The Bill being primarily concerned with compensation and the acquisition of gain for the Crown on the sale of land, a Treasury appointed Commission cannot be said to be an impartial body. The public could only have the necessary confidence in the Commission if the members were an independent body and qualified to deal with the various problems which will have to be decided by the Commission. As public rights will be involved in most of the matters referred to the Commission no one is better qualified to understand and adequately protect those rights (regard being had to the particular circumstances of each case) than representatives from highway authorities and Footpaths Preservation Societies and it seems only reasonable that representatives from those bodies should be included on the Commission.

Copies of the letter embodying such suggested amendments were forwarded to all the Members of Parliament within the Society's area and they were urged on the second reading of the Bill (if the Government persisted in proceeding with it despite the ever increasing opposition both inside and outside Parliament) to get the Bill withdrawn, but, if this was not found possible to achieve, that they would take all necessary steps to ensure that the amendments suggested by the Society were accepted and introduced into the Bill. Members are well aware of what transpired on the Second Reading, and that after practically all the speeches had been directed against the Bill it passed its second reading after an assurance had been given that amendments would be accepted during the Committee stage both as regards commons and footpaths. Your Council and Officers will make it their duty to keep in close contact with everything that transpires during the critical Committee stage and every effort will be made to get Members of Parliament to protect to their utmost the rights of the public.

ACCESS TO BURBAGE, HOUNDKIRK AND LONGEN-DALE MOORS.—Through the efforts of the Sheffield District Federation of the Ramblers' Association the Sheffield Corporation has agreed to grant permission for the public to have free access to the Burbage and Houndkirk Moors over the following footpaths and routes :—

- (a) From the Surprise along the top of Millstone Edge to Whim Road.
- (b) From Toad's Mouth to near Higgarr Lodge and thence to Whim Road.
- (c) From Whim Road north of Higgarr Tor and over Higgarr Tor to beside Carl Walk.

- (d) Along the top of the escarpment to the east of and above the Green Drive
- (e) From summit of Ringinglowe Road to join (d) by the 1,431 ft. summit mound.
- (f) From a point near the junction of Fox House Road and Sheephill Road via Gods Spring to the site of Badger Houses.

Such footpaths, six miles in length, are in addition to the privilege footpaths granted by the Corporation in 1935 (5 $\frac{3}{4}$ miles), which were :—

- (1) The Green Drive from the Upper to Lower Burbage Bridge (granted 1928).
- (2) From the top of Whitelaw Lane to the Ringinglowe-Hathersage road near Higgarr Tor.
- (3) From the Surprise, under Millstone Edge, to Whim Road.

It should be explained that in granting such use of the moors the Corporation has not dedicated the paths as public and that the privilege so granted may be withdrawn at any time. Moreover, access cannot be permitted until the present use of the moors has ceased. Notice of the cesser of such use will be given in the press—meanwhile the public are asked not to make any attempt to use the paths. Certain regulations will have to be observed by the public (all of which are in their own interests as well as those of the Corporation), namely :—

- (i) No person shall use the way other than as a footway.
- (ii) Pedestrians must keep to the main path or track.
- (iii) No person shall destroy, damage or remove any herbage, trees, walls, etc., throw down lighted matches or cigarette ends, light any fire, or otherwise cause any injury, nuisance, annoyance, or risk of fire to the herbage.
- (iv) No bird or bird's eggs shall be disturbed or taken.
- (v) No litter shall be left about.
- (vi) No dog shall be allowed except on leash.

It is expected that before the official date of opening the paths will be marked by posts or cairns by the Ramblers' Association, which Association will also provide Fire Wardens during the high risk periods of each year. The public are urged to co-operate in every way possible with the Wardens and at all times to observe the very reasonable conditions laid down by the Corporation.

Meanwhile the Manchester Federation of the Ramblers' Association was in communication with the Manchester Corporation as to access over Longdendale Moors, and following

representations the Corporation have informed the Federation that as a gesture of goodwill they were prepared to concede two additional footpaths over the Longdendale Moors, namely :—

- (1) From Higher Bank to Chew Mount on the east side of Ogden Brook and thence to a junction with the existing Greenfield to Crowden footpath,
- (2) From Crowden over Black Tor, Lad's Leap and Robinson's Leap,

subject to it being distinctly understood that persons using these footpaths should keep strictly to the paths and not divert therefrom under any circumstances. It is pointed out by the Corporation that the permission to use the two paths is a matter of concession and not of right, and is subject to withdrawal at any time the Corporation may decide that such a course of action is necessary or desirable.

The thanks of the Society and its members are due to the Sheffield and District Federation and the Manchester Federation for their untiring efforts which have produced such beneficial results for the public ; and to the City Corporations of Sheffield and Manchester for granting the access asked for—an excellent example and lead to other Highway Authorities and Water Boards.

FOOTPATH IN CHEEDAILE.—From time to time efforts have been made to get this path put into a proper state of repair. As mentioned in last year's Report, the Society has gone to a good deal of expense to make this well-used track fit for public use ; during the past few years it has provided a new footbridge as a memorial to Colonel Crook and has effected repairs to the footpath and to a second footbridge. Consequently it seemed only fair and reasonable that the Derbyshire County Council should undertake the work of repair that is now so urgently required and representations to that effect were made to the Assistant County Surveyor. As on previous occasions, doubt was raised (following correspondence between the County Council and the landowners) as to the path being public, and the County Council intimated that in view of such doubt it could not repair the path but that one of the owners had arranged to do so. Your Council strongly objected to the landowner being permitted to do anything which might tend to prejudice the public's claim to the path and prevailed upon the County Council to reconsider its decision.

It now appears that one of the landowners does not look upon the path as being private but that two of the other owners do. As the only means of settling finally the status of the path

would be by a Chancery action claiming a Declaration (which the County Council, owing to present war conditions and shortage of staff, is not able or prepared to do) and as neither of the two owners who claim the path to be private are desirous of preventing the public from using the path on the same terms as they have done hitherto, the County Council proposes to let the matter rest for the present, making it clear to the landowners and to the Society that in adopting this course it must not be taken as either accepting or rejecting the contention of any of the parties concerned in the matter, but deferring the determination of the question until such time as it is in a better position to do so; in the meantime if repairs to the path are carried out by any of the landowners concerned such work will be regarded by the County Council as without prejudice to the final determination. In the circumstances your Council (being satisfied that by so doing the public rights will not be in any way prejudiced) agreed to the course suggested by the County Council provided the landowners did likewise.

It may be added that your Council is of the opinion that the public have a right of way along the side of the River Wye from the Buxton Road at Topley Pike Quarry via Blackwell Mill, Chee Tor and Wormhill Springs to the steel and concrete footbridge S.E. of Wormhill and thence across the river and in a S.E. direction over the railway level crossing and on to the Buxton-Millers Dale road. A public right of way is not claimed along the "sufferance" path which proceeds from the before mentioned steel and concrete bridge to Millers Dale Station.

PEAK CAVERN, CASTLETON.—It was reported in last year's Report that your Council would not agree to the suggestion made by the Member of Parliament for the area in question that in order to prevent damage to the Ropewalks in Peak Cavern an iron fence with sharp spikes should be erected across the path and down into the gully about thirty to thirty-five yards from the existing wooden barricade. The Council's reasons for refusing its consent were that the proposed railing would be an eyesore, a waste of metal and an unjustified curtailment of public rights. Subsequently the Duchy of Lancaster, who own the land, endeavoured to get your Council to agree to the erection of the barrier and inferred that the District Council and Parish Council were agreeable to such a course. As your Council would not do so the Duchy intimated that after the war it was the intention of the Duchy to remove the present fence and erect an unclimbable barrier lower down the path. To this your Council has objected and reiterated its claim

to the whole length of the path up to the entrance to the Cavern being public, and has suggested a way in which the present barrier could be altered on its existing site to prevent the damage complained of. This suggestion, apparently, has been ignored by the Duchy, who have erected a Notice at the spot where the proposed new barrier may be constructed which reads: "Duchy of Lancaster. This footpath is for the use of Visitors to the Peak Cavern only."

From enquiries recently made by your Inspector it was ascertained that neither the District Council nor the Parish Council had expressed agreement with the proposal to remove the barrier lower down the path. On the other hand the Parish Council at a meeting, to which your Inspector was invited, unanimously resolved that such Council would support the suggestion made by the Society for the new barrier to be erected on the site of the existing barricade and would not agree to the removal of the barrier to the point suggested by the Duchy. Accordingly your Council protested to the Duchy in regard to the discrepancies in the previous correspondence and as a result a reply was received that as it would now appear that the measure of agreement previously referred to was not as large as had been assumed the question would be carefully reconsidered. In acknowledging such letter a request was made for the removal of the recently erected Notice.

PROPOSED CEMENT WORKS AT CAULDON LOW, HAMPS VALLEY.—In conjunction with the Sheffield Branch Committee of the C.P.R.E. and the various organisations represented on the Peak District National Park Committee the Society took an active part in opposing the proposed erection of a cement works at Cauldon Low and Waterhouses, on the fringe of the suggested boundary of the National Park, and the Society's Solicitors and Counsel represented the Committee at the Inquiry held on the 1st November last by the Minister of Town and Country Planning.

The Ministry of Works and Buildings in 1941 appointed a Committee to investigate cement production and the unanimous conclusions arrived at were (*inter alia*):—

- (i) The existing works were capable of producing all the cement that was likely to be needed in war-time.
- (ii) The existing works, together with the extensions then projected, should together be able to meet the greatest demand that might arise during the first two years after the war.

At the Inquiry it was stated that the Cement Company had been asked to construct new works and provide cement for

export purposes, a figure of 1,000,000 tons being estimated to be required in the third year after the war, and that it had been decided to construct five new works of which this was to be one. Under cross-examination on the 1941 Report the Cement Company's witnesses had to admit that the necessary cement (8,500,000 tons, estimated to be required for home use, plus the 1,000,000 tons for export in the third year after the war) could be obtained from the extension of new projects then contemplated in 1941, of which it was admitted Cauldon Low was not one. On behalf of the Peak District National Park Committee, which was supported, amongst other bodies, by the Staffordshire County Council and the Stoke-on-Trent Corporation, it was contended that the Cement Company had to establish beyond doubt:—

- (1) That cement works were in the national interest.
- (2) That the case for the works at this place was so strong as to justify overriding a strong case on the grounds of amenities.

and that it had failed to prove either point. Moreover the establishment of a cement works on the scale contemplated was premature (in view of the conclusions reached by the Committee on Cement Production) before the whole question of location of industry had been considered on a national basis, and before the establishment of National Parks had been equally considered. The decision of the Minister of Town and Country Planning is awaited.

Your Council has agreed to make a contribution towards the costs incurred by the Peak District National Park Committee in opposing the Company's application.

PROPOSED LEICESTER CORPORATION RESERVOIR.

—The construction of a cement works last referred to is not the only threat to the amenities of the Manifold Valley and the suggested Peak District National Park. During the past year the Leicester Corporation reached a decision to construct a new reservoir in the upper reaches of the Manifold. The dam of the intended reservoir across the River Manifold will be situate about a mile up the valley from Hulme End and the surface of the water thus impounded will die out in the bed of the stream just below Longnor. It is understood that in the area from Longnor to Hulme End about thirty farms and farmsteads would be taken from the farming interests for the purpose of the intended reservoir. The Peak District National Park Committee has the matter under consideration as it is felt that the construction of the reservoir would greatly affect the Park.

In the meantime your Council is making investigations as to the footpaths which will be affected if the scheme is proceeded with. The Engineers to the scheme informed the Society that practically the whole of the area covered by the reservoir was enclosed land, and although there might be tracks across it here and there, which local inhabitants were accustomed to use as a matter of privilege, they had no knowledge as to how many of them were public rights of way. Your Council was not satisfied that the paths involved were mainly privilege paths and from the investigations already made it would appear that the paths referred to are public ways. The Society, as a member of the Peak District National Park Committee and in conjunction with the various kindred organisations, will do everything possible to oppose the scheme. As in the case of cement works, the construction of reservoirs should be the subject of national planning.

PICKERINGS BRIDGE, CROWTON, NORTHWICH.—The help of the Society having been sought by the local inhabitants with reference to a Bill which the Weaver Board Trustees had presented to Parliament for powers to widen the River Weaver and close this bridge, investigations were made from which it appeared that the closing of the bridge (over which there was claimed to be a bridle track) would materially affect public rights. A new path was proposed to be given on the south-east side of the river from the bridge to Dutton Locks and then on the north side of the river to the main road near Dutton Hall. This made such a considerable detour that it seemed unreasonable. This was particularly so if your Council's contentions are correct that the public have rights over the north-west bank of the river and that at least four paths from Sutton Weaver, Aston and Dutton joined the tow path. Both the Runcorn Rural District Council and the Crowton Parish Council confirmed that such rights of way existed. Representations were made to those Councils, to the Parish Councils of Acton and Dutton and to the Cheshire County Council. Following correspondence with the County Council the Society was invited to send a representative to take part in a Conference at Crewe convened by the Parliamentary Committee of the County Council to which the other highway authorities and objectors were also invited. Your Inspector attended the Conference and outlined the Society's views on the Trustees' proposals, and emphasised the importance of the bridge—it being the only crossing of the river between Frodsham Bridge and Acton Bridge, a distance of approximately 8 miles.

In view of the objections to the proposals expressed by everyone at the conference the County Council has lodged a Petition against the Bill and your Council has supplied evidence in support of the public claim to a right of way over the bridge and along the tow path on the north-west side of the river.

ELECTRIFIED FENCES.—Many complaints having been received of this new type of fence erected at Disley and in other parts of the Society's area, representations were made to the Cheshire County Council. That Council having intimated there were no statutory provisions relating to this type of fence the Minister of Health was communicated with and joint consideration was given to the matter by the various government departments concerned, but the Society was informed that none of the departments had power to make regulations of general application for controlling the installation and maintenance of electrified fences. However the Minister of Health stated that he was having a standard voltage fixed, and that when this had been done the War Agricultural Executive Committees would notify farmers accordingly and at the same time suggest that electrified fences should not be fixed at the side of public roads or paths. Your Council has asked the Minister of Health to keep in mind, when next the Highway Act or Local Government Acts are amended, the necessity for inserting suitable provisions to control the erection of electrified fences.

FOOTPATH NEAR KNIVEDEN HALL, LEEK.—The stiles at each end of the short footpath from The Mount to Kniveden Lane having been reported to be obstructed, the Leek Urban District Council was requested to see to the removal of the obstructions. A letter being received from the Clerk to the Council intimating that the Surveyor had inspected the path and found the stiles perfectly free and open, further investigations were made which confirmed that the Society's complaint was justified and moreover the obstructions on one stile still remained. As there appeared to be some misapprehension the District Council was asked to have another inspection of the path which resulted in the farmer being requested to remove the obstructions.

FOOTPATH FROM LEEK VIA COWHAY FARM TO LOWE HILL.—Near Cornhill Cross this footpath runs along an occupation cartway across a small stream. Ordinarily the crossing is narrow but after much rain it spreads out into a flat expanse, not deep it is true but needing watertight footwear to negotiate. The provision of two small step stones at the

edge of the cartway would greatly improve the crossing for pedestrians and the Leek Urban District Council being asked if it could arrange for this to be done, has promised to do so.

FOOTPATH FROM ROWTER FARM, CASTLETON.—Complaints having been received that this footpath (which is a short distance west of Rowter Farm and runs from a point near Oxley House on the Castleton-Sparrowpit road in a north-south direction) was obstructed* by a wire netting and barbed wire fence, confirmation was forthcoming from the Castleton Parish Council that the way was public and shown as such in the Parish Map. The Parish Council took the matter up with the farmer who said the fence had only been erected during re-seeding and has now been removed.

FOOTPATH FROM BROUGH TO SHATTON.—This path, which takes the form of a parallel path running on the edge of the old sunken lane, being found to be obstructed in two places, the matter was reported to the Chapel-en-le-Frith Rural District Council and such Council gave notice to the two farmers concerned to remove the obstructions.

FOOTPATH FROM WORMHILL ROAD TO DALE HEAD.—This path passes over from the east to the west side of a wall by a step stile, but there was no stile or gate or opening of any kind to enable passage to be continued forward in a northerly direction over the wall towards Dale Head. Following representations made by your Council action by the Chapel-en-le-Frith Rural District Council resulted in the landowner promising to build in either a railway sleeper or good through stone to assist pedestrians in climbing the wall.

OBSTRUCTIONS IN GREAT ROCKS DALE.—Great Rocks Back Pastures Farm was entirely removed some time ago by I.C.I. Ltd. and the surface soil of the valley excavated uncovering the solid limestone in the whole valley thereabouts. Part of the bridle path from the Farm to Blackwell Mill was also excavated but the Company left a wide grassy margin by the wall side which allowed a satisfactory connection with the bridle way. As the new way was shorter your Council had no objection to the slight diversion provided the public use of it was put beyond doubt. The Assistant County Surveyor was communicated with and he took the matter up with the Company who arranged to erect notices at each end of the diversion worded "Public Footpath"—"Buxton" or "Blackwell Mill" as appropriate in each case. The Company also agreed to erect a new stile lower down the path as suggested by your Council.

FOOTPATH FROM THORNHILL TO HALLAM BARN AND HOPE STATION.—This footpath was legally diverted in 1914 and the Society marked the diverted way by direction posts. Following complaints, the attention of the Chapel-en-le-Frith Rural District Council was called to the fact that the diverted way was obstructed in three places and the Council has taken steps to ensure that the obstructions are removed.

BARBED WIRE AT BARBER BOOTH.—The Society has a direction post indicating the footpath via Greenlands to Hollins Cross and Castleton and at this point there is a wood gap stile at the side of a farm gate. Reports were received that a strand of barbed wire was attached to one of the two stumps of the gap stile, and the Chapel-en-le-Frith Rural District Council being communicated with has called upon the occupier to make safe several barbs which might be regarded as a possible source of danger or damage to the clothes of an unwary person.

HAYFIELD-SNAKE INN PATH AND HAYFIELD-EDALE PATH.—The Hayfield-Snake Inn path has been deteriorating for some years, but the Whit Monday floods badly cut into the path in places between Hayfield and Mill Hill, especially by the little cascades at the steeper parts of the stream course. Damage was also caused by the same storm to the Hayfield-Edale road. It is understood from the County District Surveyor, to whom representations were made, that his workmen have been continually engaged in repairing damage caused by such storm and would be so engaged for another six months or so unless there was an alteration in the direction of labour. He has promised to keep in mind the points mentioned by your Council.

WESTEND-ALPORT TRACK.—Your Council regrets to report that the footbridge proposed to be erected by the Society (to be presented as a Memorial by the Manchester Rambling Club associates of the late Mr. A. J. Heron) cannot be proceeded with at present owing to licenses for the necessary steel and timber being unobtainable. The Derbyshire County Council was most helpful in preparing plans and estimates and endeavoured to obtain the requisite licenses.

PICKING RODS, CHISWORTH.—Following the re-opening of this area (referred to in last year's Report) it was found that the bridle path which runs from the Chisworth-Mellor road via Picking Rods to Cown Edge had been obstructed. Representations made by the Council were successful in getting the obstructions removed. A large quantity of barbed

wire has been left in one of the fields barring the intersecting arc of two footpaths near Pistol Farm and the government department concerned has been communicated with as to the removal of the wire.

FOOTPATH NEAR HAWKHURST FARM, WHALEY BRIDGE.—By order of the Derbyshire War Agricultural Executive Committee two of the fields crossed by this path have been ploughed up subject to the paths being afterwards rolled out, but complaints have from time to time been received as to the paths being overgrown. The District Executive Officer satisfied himself that rolling out had taken place and informed your Council that this had been largely nullified by the fact that the paths had been little used by the public so that the crop had overgrown the paths. The remedy is in the hands of the public—use the paths!

FOOTPATH THROUGH TAXAL WOOD TO TAXAL CHURCH.—Following correspondence with the Whaley Bridge Urban District Council and the Macclesfield Rural District Council the landowners concerned have promised to repair three defective stiles.

OBSTRUCTED ROAD NEAR BOWSTONEGATE.—The Tithe Award Plan for Lyme Handley includes a list of public roads in the Parish. One of such roads starts on the Bowstonegate ridge road about 500 yards south of Bowstonegate Farm and takes an easterly direction to Cornfield Farm. On going over the path your Inspector found the commencement from Bowstonegate ridge road obstructed—where formerly there had been a wide gate were now two wood gate posts and five strands of barbed wire but no gate or stile. The Macclesfield Rural District Council took the matter up with the farmer who said he had erected the obstruction to prevent the straying of his cattle and promised to take down the wire fence and erect a gateway or wooden rails.

FOOTPATH FROM LONG HILL ROAD, FERNILEE, VIA OVERHILL FARM TO WYTHENLACHE.—Reports having been received that persons at times had some difficulty in traversing the portion of this path in the immediate neighbourhood of Overhill Farm, the tenant of the farm was written to informing him of the difficulty and suggesting that the present rough stile near the wall (consisting of three wood battens) be made a little easier and that a new stile or other suitable crossing be provided a little lower down the path towards Wythenlache.

LYME PARK.—Your Council is using its best endeavours to obtain the reopening of the various footpaths through and adjacent to Lyme Park, as it is understood that the purpose for which the land was acquired some three years ago has now ceased.

FOOTPATHS NEAR BROADBOTTOM.—The attention of the Longdendale Urban District Council has been called to complaints affecting three footpaths namely :—

- (1) The track from Hodge Fold to Bottoms Hall had for a distance of about 80 yards (near Hodge Fold) been completely washed away by the stream which runs alongside.
- (2) On the approach to Warrastfold Bridge from the Broadbottom side of the river the protecting fence was extremely bad and indeed dangerous—some of the gaps having a thin wire across which was of little use and it would be an easy matter to fall into the river Etherow about 20 feet below.
- (3) That approaching from Penfold Lane part of the lower end of the path which proceeds via Hurst Clough to Broadbottom was a gutter for the water from the banks on either side, and where the path crosses the Hurst Brook there were no proper stepping stones.

At first some difficulty was experienced in obtaining a reply to the Society's communications but in September last attention was promised ; so far, however, nothing appears to have been done to remedy the matters complained of.

FOOTPATHS IN BOTTOMS HALL WOOD, HYDE.—The Hyde Corporation, on being asked to replace a missing footbridge, repair a defective stile and repair one of the paths which was very boggy, intimated that it had been resolved that the Society's letter lie on the table and that it be a recommendation to include an amount in each year's Annual Estimates for the repair and upkeep of footpaths in the Borough, and that the Borough Surveyor be directed to submit a report on this matter to a future meeting of the Committee. Your Council welcomes the decision of the Corporation which, in course of time, should ensure that the many footpaths within the Borough will be maintained in proper condition.

FOOTPATH FROM WAGGONSHAW BROW TO COMMON BARN FARM, RAINOW.—Consequent on the growing of corn there has been a slight diversion of this path and a new stile made in a fence. It was reported that there was a strand of barbed wire above the step of the fence but following representations made by your Inspector the farmer has made it into plain wire.

FOOTPATH FROM YEW TREE FARM, TABLEY, TO FLITTOGATE.—Your Inspector on walking over this path (on which the Society's direction plates, removed in the early stages of the war, have now been placed in position again) found barbed wire across the line of path in two places. His interview with the farmer resulted in a promise to remove the wire.

FOOTPATH LEADING TO BLACKSHAW HEYS FARM FROM ASHLEY ROAD, HALE.—Complaints having been received that this path had been obstructed in three places, your Inspector interviewed the tenants of Blackshaw Heys Farm and Lowerhouse Farm and also the Agent to the Tatton Estate (of which the land forms part) who maintained that the track was an accommodation way between the farms and not a public footpath.

The path is shown in the Records of the Bucklow Rural District Council as being public. Moreover on the Plan prepared in connection with the negotiations between the Estate and the Bucklow Council (which negotiations, interrupted by the outbreak of war, have not been finally concluded) for determining the public footpaths on the estate the path from Breach House to and through Blackshaw Heys Farm was shown in green (the colour which indicated public footpaths). This portion of path would be purposeless if it did not continue northwards along what is claimed by the estate as an occupation way, as also would the continuation of the path which emerges on Ashley Road just before Hough Green Farm (also coloured green on the Plan) and the path from Brickhill Lane via Middlehouse to Lowerhouse Farm would no longer be useable if the Agent's contention was correct. These points were emphasised in correspondence with the Agent, who stated that the Plan had not been prepared by or agreed by the estate. Your Council's efforts to settle the matter amicably with the estate having failed there was no alternative but to pass the matter on to the County District Surveyor at Bucklow to protect the public rights over the path and this has been done.

FOOTPATH FROM FAIRY LANE, SALE (OPPOSITE OAK FARM) EASTWARDS TO KENWORTHY LANE, NORTHENDEN.—The single plank footbridge on this footpath about 120 yards from the farm was reported to have decayed and fallen into the brook and the Manchester Corporation was asked to replace the bridge. The Corporation in conjunction with the Sale Corporation (the brook being the boundary between Wythenshawe and Sale) restored the bridge

by constructing a pipe culvert encased in concrete and levelled over the top to the footpath on either side.

FOOTPATH AT HARDMAN BOTTOMS, BURY.—The Cleansing Department of the Bury Corporation asked the Streets Committee to investigate the possibility of closing this footpath in order that further tipping could be carried out. Protests by the Society and by workpeople who used the path resulted in the Committee deciding not to approve of the application being made to close the footpath.

DIRECTION POSTS.—The Society has erected no new direction posts during the year, but instructions have been given for the erection of a post on the riverside path from Castleton to Hope at a point where walkers have often experienced uncertainty as to the correct line of path.

The work of the Society has been assisted by the respective County Surveyors who have seen to the re-erection of direction posts taken down on government instructions earlier in the war. In the case of the Society's direction plate on the Bamford-Hathersage road the old post had disappeared. A new post has now been provided and the plate repainted, and refixed in position.

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

- "Notes on Map Reading," War Office.
- "The Weather," by G. Kimble and R. Bush.
- "Rucksack Club Journal," 1943-44.
- "Right of Way—Footpath Law for Everyman."
- "The Peak District a National Park."
- "Sheffield Clarion Ramblers' Handbook," 1944-45.
- "Sheffield C.P.R.E. Annual Report," 1943.
- "Northern Rambler," 1943.

Members having called attention to the difficulty of obtaining books and maps from the Special Collections Department owing to the closing of that Department at 5 p.m. (primarily associated with shortage of staff), representations were made to the Chief Librarian at the Central Library in which it was urged that as soon as conditions would permit the Special Collections Department should continue to remain open in the evenings. The Chief Librarian has promised that as soon as possible arrange-

ments will be made so that the Society's collection will be available during all the hours when the Central Library is open. In the meantime arrangements had been made whereby if notice is given any of the Society's books and maps not out on loan could be sent down to the Reference Library which is open to 9 p.m. every weekday. Then the required book or map could be borrowed by the member of the Society who would leave his or her library ticket with the person who recorded the issue. Application, either by telephone or post card, should be made to the Special Collections Department before 4 p.m., Monday to Friday, or before noon on Saturday.

FINANCE.—Your Council has again to record an increase in membership income of £5 5s. 0d. making an increase in the past three years of £25 9s. 11d. Actually the membership income would have shown a reduction of £9 15s. 0d. on the previous year but for a donation of £5 made by a member (Rev. H. P. V. Nunn) towards the £25 contributed by the Society towards the acquisition of Mam Tor and Winnats Gorge shown in last year's Accounts, and the inclusion of £10, part of a very generous contribution of £25 contributed by a member of the Sheffield Clarion Rambling Club, who prefers to remain anonymous—the balance being credited to the Special Reserve and the Broomycrofthead Bridge Fund. The Society's contribution towards the costs incurred in connection with the Cauldon Low Inquiry will fall to be debited against the income of 1945. In addition many of the matters now being dealt with, in particular the Requisitioned Land and War Works Bill and the proposed closing of Pickering's Bridge, will entail a considerable amount of increased expenditure and the balance of £19 17s. 9d., in hand at the year end, may prove insufficient. If the Requisitioned Land Bill is passed it is fairly certain that for some little time much additional work and expense will fall upon the Society, and it is hardly necessary to state that the income of the Society should at all times be sufficient to meet such a contingency. Having regard to the work achieved during the year your Council confidently renews its appeal for a greatly increased membership and income.

The appeal made at the last Annual Meeting to members to induce others to join the Society did not go unheeded and, partly as a result, 57 new members were enrolled. Unfortunately 48 members from various causes failed to renew their subscriptions, leaving a net increase in membership of 9, the number of members being now 324 together with 54 Affiliated Clubs. Three further Clubs affiliated during the year, but two Clubs

failed to renew their affiliation, having been disbanded. It is fairly obvious that *too few* of those who benefit by the Society's work are members. It should not be a difficult matter, if only members would take every opportunity of inviting their fellow walkers to join the Society, to raise the membership to at least 500.

The Defence Fund has been augmented by £16 10s. 0d. during the year (including a contribution of £6 10s. 0d. for the second successive year from the Sheffield Clarion Rambling Club) and now stands at £353 18s. 7d.

As a further £16 5s. 0d. has been contributed during the year towards the Broomycrofthead Bridge Fund, leaving a balance now outstanding of *only* £4 4s. 6d. your Council has decided to leave the fund open for another year in the hope that donations will be forthcoming to such Fund sufficient to wipe out the balance now remaining, thus relieving the Special Reserve Fund from that burden.

MEMBERSHIP AND AFFILIATION.—The terms of membership are simple, involving no formalities other than the payment of a minimum subscription of 2s. 6d. per annum which entitles a member to receive a copy of the Annual Report, together with any information which it may be within the Council's scope to afford. It must be emphasised that in fixing the *minimum* subscription the Society has in view the desirability of obtaining the fullest possible public interest, and that the revenue derived from minimum subscriptions is inadequate to meet the needs of the Society's operations. The Secretaries of Rambling and kindred Clubs can perform a very useful service by bringing to the notice of their members the objects and claims of the Society *and urging individual membership*. Some Secretaries make themselves responsible for the collection of subscriptions from the Club members, which are forwarded to the Honorary Treasurer in bulk. Other Secretaries are urged to adopt a similar method, as it ensures that subscriptions are not overlooked, and is very helpful to the Society and its Officers.

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

Affiliated Rambling Clubs & Societies

- Accrington Naturalist & Antiquarian Society.
Art Museum Field Club.
Ashton-under-Lyne & District C.H.A. Rambling Club.
Bury & District C.H.A. Rambling Club.
Bolton C.H.A. Rambling Club
Bramhall Ratepayers' Association.
C. E. Holiday Homes, Ltd.
Camping Club of Gr. Britain & Ireland (L.C. & N.W. District Association).
Central Rambling Club.
City News Fellowship (Ramblers Section).
Co-operative Holiday Association.
Comradeship of the Christian Endeavour Holiday Homes (Manchester Sec.)
Comradeship of the Christian Endeavour Holiday Homes (Stockport Sec.)
Crescent Rambling Club.
Derbyshire Footpaths Preservation Society.
Derby C.H.A. & H.F. Rambling Club.
Field Naturalists & Archæologists Society, Manchester.
Friendship Holidays Association Manchester Rambling Club.
Hallamshire Footpaths Preservation Society.
Holiday Fellowship Limited.
Holiday Fellowship (Oldham & District Group).
Holiday Fellowship (Manchester Group)
Lower Mosley Street Institute Rambling Club.
Manchester Amateur Photographic Society.
Manchester C.H.A. Rambling Club (Section "A").
Manchester C.H.A. Rambling Club (Section "C").
Manchester C.H.A. Rambling Club (Section "D").
Manchester C.H.A. Rambling Club (Section "E").
Manchester C.H.A. Club.
Manchester H.S.C. Languages Rambling Club.
Manchester Pedestrian Club.
Manchester Rambling Club.
Marple Field Club.
North Staffordshire Field Club.
Oldham & District C.H.A. Rambling Club.
"R" Club.
Ramblers' Association (Sheffield & District Federation).
Ramblers' Association (Liverpool & District Federation).
Ramblers' Association (Manchester & District Federation).
Rochdale Field Naturalists Society.
Rucksack Club.
Sheffield C.H.A. Rambling & Social Club.
Sheffield Clarion Rambling Club.
Stockport C.H.A. Rambling & Social Club.
Stockport Field Club.
Stockport Seconians Association Rambling Club.
Sutton-in-Ashfield & District Rambling Club.
United Field Naturalists.
Vegetarian Society Social & Athletic Club.
Willersley Sidholme & Sidstrand Ltd.
Workers' Educational Association (Rambling Section) Stockport.
Workers' Travel Association Ltd.
Y.M.C.A. Rambling Club.
Youth Hostels Association (Sheffield Sub-Regional Group).

Peak District and Northern Counties Footpaths Preservation Society

STATEMENT OF INCOME AND EXPENDITURE FOR THE YEAR ENDING DECEMBER 31, 1944

INCOME				EXPENDITURE			
	£	s.	d.		£	s.	d.
Subscriptions for 1944:—				Printing Annual Report	17	10	0
Paid in advance as per 1943 Statement ...	2	9	0	Circulars, Posters, Envelopes, re same ...	4	15	6
Paid during Year to December 31, 1944 ...	132	13	6				
			135 2 6	Hire of Rooms			22 5 6
Balance brought forward from 1943 ...			3 15 3	Printing and Stationery			6 0 0
Bank Interest on Deposits with Manchester & Salford Savings				Insurance Premiums			9 12 5
Bank, brought forward	26	5	0	Signpost account			3 2 10
Bank Interest on Current Account	0	1	10	Subscription to Commons, O.S. & F.P. Society ...	2	2	0
			165 4 7	Affiliation Fees (C.P.R.E., 4 Branches)	2	2	0
Subscriptions paid in advance for 1945			8 13 6				4 4 0
				Advertising and Sundry Expenses			2 5 5
				Maps and Plans			1 2 4
				Annual Meeting: Lantern Operator			0 15 0
				Secretary's Honorarium	30	0	0
				Hon. Treasurer—Clerical Assistance	5	5	0
				Footpaths Inspectors' Honorariums (Mr. Wild			
				£15; Mr. Gill £7 10s. 0d.)	22	10	0
							57 15 0
				Footpaths Inspectors' Travelling Expenses			
				(£6 16s. 8d. and £5 3s. 8d.)	12	0	4
				Other Officials' Travelling Expenses	0	5	0
							12 5 4
				Inspection Fee re Awards			0 1 0
				Postages			11 12 0
				Amount transferred to Post-War Reserve Fund			12 8 6
							145 6 10
				Balance carried forward to 1945... ..			19 17 9
							165 4 7
				Subscriptions for 1945 carried forward			8 13 6
							173 18 1
							173 18 1

DEFENCE FUND

Balance brought forward from 1943	337 8 7	Balance carried forward to 1945	353 18 7
Donations received during year to December 31, 1944	16 10 0		
	<u>£353 18 7</u>		<u>£353 18 7</u>

SPECIAL RESERVE FUND

Balance brought forward from 1943	763 16 8	Balance carried forward to 1945 (Arnold Wilson Legacy, £713 16s. 8d.; G. H. B. Ward, Esq., F.R.G.S., Gift towards Erection and Maintenance of Signposts £50; Anonymous £12 10s. 0d.)	776 6 8
Donation "Anonymous" (a member of the Sheffield Clarion Rambling Club)	12 10 0		
	<u>776 6 8</u>		<u>£776 6 8</u>

BROOMYCROFTHEAD BRIDGE FUND

Donations in hand	11 10 6	Cooper Bros. (Builders) Ltd., Erection of Bridge	32 0 0
Donations received during year to December 31, 1944	16 5 0		
Balance owing to General Fund pending collection	4 4 6		
	<u>£32 0 0</u>		<u>£32 0 0</u>

POST-WAR RESERVE FUND

Balance brought forward from 1943	£30 0 0	Balance carried forward to 1945	£45 0 0
Donation received during year to December 31, 1944	2 11 6		
Amount transferred from General Fund	12 8 6		
	<u>£45 0 0</u>		<u>£45 0 0</u>

MANCHESTER AND SALFORD SAVINGS BANK DEPOSITS AT DECEMBER 31, 1944

Deposits at December 31, 1944, at 2½ per cent	500 0 0	Balance on deposit carried forward to 1945	1,026 5 0
Deposits at December 31, 1944, at 2¼ per cent	500 0 0		
Interest for year to November 20, 1944	26 5 0		
	<u>£1,026 5 0</u>		<u>£1,026 5 0</u>

CASH POSITION AT DECEMBER 31, 1944

Cash at Bank	£173 7 0	Balance at Credit of Defence Fund	£353 18 7
Cash on deposit with M. & S. Savings Bank	1,026 5 0	Special Reserve Fund	776 6 8
Broomycrofthead Bridge Fund, Balance owing to General Fund	4 4 6	Post-War Reserve Fund	45 0 0
		Subscriptions paid in advance for 1945	8 13 6
		Credit balance of General Fund	19 17 9
	<u>£1,203 16 6</u>		<u>£1,203 16 6</u>

(Signed) J. E. BROOM, Hon. Treasurer.

(Signed) G. SMITH, Hon. Auditor.

February 14, 1945