

# ANNUAL REPORT 1980 ~ 1981



*Lion Rock Dorsetdale*

Peak and Northern Footpaths Society

1894 ~ 1981

# PEAK AND NORTHERN FOOTPATHS SOCIETY

Founded in 1894; Manchester Association Founded 1826

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## FOREWORD

The end of 1980 saw the footpaths network in greater danger than at any time since the passing of the 1949 National Parks Act. The rights of way section of the Wildlife and Countryside Bill, introduced in the Lords last December, has been described as "a minefield" and one wonders what booby traps it may contain in addition to its more obvious provisions for eroding the safeguards of the network.

Careless drafting is presumably to blame for the omission of cyclists from the schedule of permitted users of bridleways (BWs) and for a repetition of the defective wording of the 1968 Countryside Act (CA 68) in respect of the reclassification of RUPPS that could lead to a further legal ruling that a RUPP cannot be reclassified as a footpath (FP).

But much more important are the Bill's express provisions, which include leaving all decisions in FP matters to the local authorities, who after holding an inquiry, will be able to confirm their own orders for closure and diversion of paths, or for making alterations to the definitive maps, including additions, deletions, and alterations in status. No restrictions whatever will be placed on the type of evidence that may justify downgrading, deletion or other modifications. There will be no right of appeal to the Minister or anyone else, except to the Courts on points of law. This is clearly against natural justice as perceived by the Romans, **Nemo iudex in causa sua** (Nobody shall be judge in his own case).

Local authorities are often indifferent or even hostile to FPs, and may have a vested interest in closing them to escape their legal duties of maintenance. In country areas they may be influenced or dominated by the landed interests. A county councillor who is also a farmer was recently reported as saying that the new powers would enable local authorities "to close down hundreds of FPs which are still on the definitive maps". As the professor told the student who complained that his testimonial might prevent him getting a job: "That's what it is meant to do".

At present, appeals are decided by a limited number of regional officers of the DOE who have a much better knowledge of previous cases and the intricacies of FP law than is to be expected of a motley array of local officials with many other calls on their time. The Minister hopes to save money at the centre, but local government will have to meet the cost instead.

In a preliminary consultation paper it was said that the inquiries would be conducted by inspectors chosen by the local authority from a panel appointed by the Minister, and that the authority's decision would be based on the inspector's findings. In fact the Bill (Schedule 12, paras. 4 and 5(2)b) does not say how the inspector will be appointed, nor what sort of person he should be, and merely requires the authority to consider his report. Like the Minister at present, authorities will doubtless reject some inquiry findings, but unlike him they will not be seen to be impartial.

Readers will appreciate that footpaths are not essentially a local matter as the Minister would have us believe. Many people take rambling holidays and are disappointed if paths shown on the O.S. maps are no longer to be found. Less important, but decidedly irresponsible, is the proposal to allow bulls accompanied by cows, to be at large in fields containing FPs, provided they are not of recognised dairy breeds. The Agricultural Inspectorate of the Health and Safety Executive has recently warned farmers of a sharp rise in bull accidents during the past two years, including six deaths compared with none in the previous two. The Inspectorate's note says that "bulls of some breeds are often thought to be more placid than others, but even these have killed. Every bull, however docile it may appear, must be treated with the greatest respect". The note adds that many of the accidents happened to experienced stockmen.

A recent count by the Ramblers' Association of public paths, in eight parts of the country well provided with them, has shown that out of 5177 fields only 1077 (21%) contain footpaths. So it appears that a total ban on all bulls in FP-containing fields would not drastically affect beef production, which is already much in excess of requirements, but would merely reduce the beef mountain somewhat.

It is further proposed to replace the five-yearly reviews of definitive maps by a continuous "incremental" review system under which legally authorised changes in the network will be recorded on the maps and statements as soon as practicable. This is good in theory, but there are grave doubts as to its practicability in view of the large numbers of amendments to be dealt with which will be swollen by the abandonment, at the discretion of the Minister, of surveys and reviews already in progress, particularly if there are large numbers of unresolved objections.

Whereas, at present, a House of Lords judgment (*Suffolk C.C. v Mason*) has established that a definitive map FP is a right of way for pedestrians only, the same principle does not apply to BWs which may carry higher rights (NPACA49, S32 [4] [b]). It is now proposed to extend the *Suffolk/Mason* principle to BWs, but only after a lapse of seven years during which it will be possible to claim higher rights on FPs as well as BWs. It is, of course, logical to treat FPs and BWs alike, and if fresh evidence justifies addition of new FPs to the map, it should also justify up-grading to BW. There can be little doubt that a number of BWs were shown in the original maps as FPs because the equestrian interests were not much in evidence at that time.

In future, RUPPs will be reclassified on the sole basis of what rights can be shown to exist, and not on suitability or otherwise for vehicular traffic.

The Society reacted strongly to the first news of the Bill's contents and took the exceptional step of writing to all its members urging them to complain to their M.P.s at the prospect of public rights of way being left to the mercy of local authorities. By the time this report appears it may be too late, but if it isn't and you haven't written already, please do so.

FRANK HEAD.

Since the above was written in January several amendments have been made to the Bill, and on 16th March the Lords defeated the proposal to transfer jurisdiction on path orders to the local authorities.

## REPORT OF THE GENERAL SECRETARY FOR 1980

It is my pleasure to present for your consideration, my report for the year ended 31st December, 1980.

### Obstructed Paths

Quite a considerable amount of my time as your General Secretary is taken up in dealing with reports of obstructed paths and damaged or missing local authority signposts and I feel therefore that this should form the basis for my report. I find great difficulty however in presenting a true picture of the overall situation throughout the area we cover, for there are good areas and these are closely related to the efficiency and concern of the relevant Local Authority; conversely there are other areas which are very bad indeed. On the credit side I suppose Derbyshire County Council must rank amongst the most helpful, though Staffordshire Moorlands District Council, despite the fact that it is not a highway authority, tries very hard to be of assistance. At the bottom of the list are perhaps Staffordshire County Council and most certainly Blackburn Borough Council.

I have noticed for some time now that Local Authorities generally seem to employ tactics of not replying to letters, a situation which I deplore. I can think of one particular case where I have had to send five reminder cards (which we have had specially printed) before I received a reply. It might be of interest to look more closely at this particular case. In July, 1979, I wrote to the Director of Public Services, Blackburn Borough Council, advising of four obstructed paths in the Parish of Turton. My letter was ignored so I sent reminder cards on 27.10.79... 2.2.80...11.5.80...26.9.80...29.12.80...and surprise, surprise; early in January, I received a telephone message advising that they were unable to trace my original letter and asking that I please send them a copy. This I did on the 6th January, 1981 and as we go to the press I have still not received a reply. Unfortunately, this sort of situation is not unusual; I could list twelve other cases where I have now reached the 3rd reminder card and am still waiting for a reply.

During the last few weeks, I have noticed another growing tendency, with local authorities trying to opt out of their responsibilities even more than previously. To quote one such case, Stockport M.B., replying to a letter advising them that Bredbury & Romiley F.P. 4 was obstructed, state quite briefly "It is not intended to take any action on the footpath during the present financial year". Faced with this sort of negative reply one feels that there is perhaps a need to remind them of their statutory duty and to quote Highways Act 1949 Sect. 116 (1) "It shall be the **duty** of the highways authority to assert and protect the rights of the public to the use and enjoyment of any highway etc. "— a duty which they are sometimes inclined to forget.

You will of course appreciate that the sort of situations I have described are very demanding on time and money and can become very frustrating, but I have taken the trouble to explain the situation merely to reassure members who write to me regarding obstructed paths that once I have

opened a file on a particular obstruction, then that file will not be closed until the path is cleared, no matter how long that might take.

During the year under review over 150 obstructions were reported and 16 paths were cleared of obstruction.

### **British Rail**

I feel that there is a need to draw your attention to the tactics being employed by British Rail with regard to overbridges and underpasses. There is some evidence to suggest that B.R. are unable or unwilling to maintain certain footbridges to an acceptable standard and are then using a variety of reasons as they apply for closure or diversion of the paths which the bridges carry. It should be noted that there is no provision in the Highways Act for closure or diversion using "too dangerous for public use" as a criterion. It is their responsibility to maintain bridges in a good state of repair. We believe that such tactics, if they are being employed as official B.R. policy are both devious and unacceptable and we will continue to fight any such applications.

In one recent case when B.R. advocated the diversion of a path which utilised an underpass (railway still in use) the case they made was that they might want to fill it in, or erect supports under it. The Society's answer to that was that as trains still ran over the bridge then we were entitled to expect a high standard of maintenance as passengers, and in that case our members would feel quite safe walking under it. We could not agree to the diversion proposed. It is interesting to note that we have five B.R. footbridge cases on our books at the present time and I would invite members to watch for this sort of situation arising in their own locality and report any similar proposals, whatever the reason given. Your assistance in this respect would be appreciated.

### **Conclusion**

In conclusion may I take the opportunity to thank the many people who have assisted me during the year, but particularly I would like to single out the Society's Inspectors, without whom the Society could not continue. May I also add that though our inspecting staff has increased during the year, there are still one or two areas where inspectors are required and volunteers would be most welcome.

DEREK TAYLOR.

## COMMENTARY

### **Dr. Frank Beech**

Shortly before Christmas we were saddened to learn of the death of Dr. W. F. Beech who died at Plymouth on 8th December after a short illness. For many years he was a vigorous defender of amenity in the Marple area and wider afield in the Peak District. His local organisation had at one time more than a thousand members and he was a member for several years of the Society's Council and of the Voluntary Joint Committee for the Peak National Park. After retirement from his position as an ICI research chemist he moved to Plymouth to become Hon. Secretary of the Dartmoor Preservation Association for whom he worked tirelessly in defence of the national park, appearing at many important inquiries concerning new reservoirs etc., where his outstanding skill as an advocate were of the greatest value. He will be greatly missed by many friends there and here.

### **Mrs. Pat Bramwell**

We are sorry to report that Mrs. Bramwell has resigned as our Membership Secretary, a post in which she has been notably successful for several years, but she has kindly agreed to continue as assistant to her successor, Mr. T. Whittaker.

### **The Society's Archives**

During the past year our Chairman and others have devoted a good deal of energy to collecting together our archives, sorting them out and storing them systematically in a large spare room at his house.

### **The Demise of CRC 4**

In last year's Foreword we had a lot to say about the Countryside Review Committee's Topic Paper No. 4 and its proposed two-tier system for national parks. We are now glad to report that the Government has quietly dropped it along with the planned review of national parks in 1981. They are however thinking of introducing District Council, as well as County Council representation on park boards and committees, which might not be altogether a bad thing so long as the level of national representation is not reduced.

### **General Purposes Committee**

Council has decided not to reappoint this sub-committee as there has been little call for its services in recent years. When necessary, a committee of the Society's main officers meets instead.

## **Countryside Commission Appointments**

The Government has replaced Lord Winstanley as Chairman of the Commission by Mr. Derek Barber, Vice-Chairman of the Farming and Wildlife Advisory Group of farming, landowning and conservation bodies, Chairman of the RSPB, and joint author of "Farming for Profit". Three new Commissioners also appointed are, respectively, a member of the Court of Verderers of the New Forest, a Welsh farmer and a Suffolk farmer.

## **Threat to O.S. Maps**

The present government's commitment to "privatisation" presents a renewed threat to the Ordnance Survey Department, which might be sold in whole, or in part, to the private sector. If so, the maps used by walkers would be in jeopardy, especially the new 1:25,000 Second Series "Pathfinder" maps which show definitive rights of way very clearly and are of great value to us. They are based on new surveying and will not survive without subsidisation until the whole series is complete in nine years' time.

## **Heavier Lorries**

Following a celebrated "leak", according to which Department of Transport officials had proposed the setting up of an Inquiry as a means of overcoming the admittedly strong public opposition to heavier lorries, a one-man Inquiry was set up. Sir Arthur Armitage seems to have accepted the road transport argument that bigger lorries will mean fewer lorries and has reported in favour of them. About 80% of our roads are admitted to be unsuitable for "heavies", but the D.O.T. says it is impracticable to exclude them from minor roads and streets. If you do not want heavier lorries, write to your M.P. and M.E.P. if it is not too late when this appears.

## **"The Theft of the Countryside"**

An important book by Marion Shoard (Maurice Temple Smith; £4.95) draws attention to the growing threat of the new agricultural revolution which, she says, is devastating so much of Britain's traditional countryside and turning it into a "featureless food factory". The process is already far advanced in lowland areas. Since the war, a quarter of our hedgerows, 24 million hedgerow trees, thousands of acres of down and heathland, a third of our small woodlands, together with innumerable ponds, streams, and marshes have been swept away at the expense of the general public.

Miss Shoard estimates that the rest of the community is subsidising farmers to the tune of about £5,000M a year through high food prices, capital grants, special subsidies, tax concessions and rate relief. Hence, it pays to cultivate marginal land that would never be touched otherwise. Whilst so many other important activities are being pruned to save money, no limit has been placed on the total money available for agricultural "Improvement" grants. Nor does the Ministry of Agriculture pay much attention to the duty laid upon it by Parliament to have regard for natural beauty and amenity (CA 68 s.11). Miss Shoard says that perhaps only



one and at most only a handful of applications for capital grants have been refused on amenity grounds.

It is hardly necessary to add that prairie farming damages the FP network and robs it of most of its attractiveness. We are fortunate in the northwest to be living in a largely upland area that has not suffered so much as yet. But our turn may come.

### **Repeal of Highways Act 1959 S59**

We hear that the Government is planning to repeal HA 59 S59 under which members of the public can apply to the magistrates to secure the repair of any highway. Recent instances of its successful use include the replacement of a missing foot bridge by Liverpool City Council and clearance of two paths at Alcester, Warwickshire, where the county had failed to replace a footpath inspector and asked that no more FP complaints be submitted! Now they have appointed a part-time officer and are discussing other obstructed paths with the complainant.

### **Prosecution for Personal Obstruction**

South Norfolk DC successfully prosecuted a farmer at Kirkstead for wilfully obstructing the free passage of a walker along a path. So it can be done, given the will to do it.

### **Informality and Dangerous Stiles**

The Local Ombudsman for Wales investigated a walker's complaint that certain FPs at Torfaen, Gwent, had been obliterated by a standing crop of maize, and that awkward stiles without steps had been erected. The Ombudsman criticized the local council for adopting an "informal approach to its duty" to protect rights of way, and described the belief of one of their senior officers that "a farmer or landowner is not required to preserve a FP as such through his land" as "patently erroneous". Unsafe stiles had been erected by the county council in a manner inconsistent with the legal requirements. They should not inhibit the use of FPs "by any section of the public such as elderly or infirm individuals".

### **Acknowledgement**

For the last three items we are indebted to the Ramblers' Association "Footpath Worker" Vol. 5 Nos. 1 & 2.

F.H.

**THREE CHEERS FOR THE D. of E. says Don Lee in his annual review of 1980's most significant successes.**

Of the seven cases selected for mention, with the exception of the first and last, readers will note that it was solely due to the intervention of the Department of the Environment that we were able to chalk-up another record year of successes. Had matters been left solely in the hands of the local authorities – as a clause in the Wildlife & Countryside Bill now passing through Parliament proposes – we wonder how we would have fared in retaining the paths for future generations to enjoy.

**“Potters Walk” Failsworth F.P. 57 (Oldham M.B.) O.S. Ref. 919006 to 920007 (sheet 109 – 1:50000)**

A named footpath and especially one named by local tradition is always a delight to discover. “Potters Walk” is so recorded by the dialect writer Ben Brierley, who tells of its habitual use by a local pub-owner and his three legged dog for their evening constitutional. Even today it remains a pleasant double-hedged rural path which has the misfortune to be in the recently created Daisy Nook Country Park where the tidy-minded officers of Greater Manchester Council and the “estate-management” mentality of the National Trust seems bent on channelling walkers on to waymarked and “improved” paths with the intention of letting some legal rights of way fall into disuse – as they would both have liked to have done with “Potters Walk” since, ignorant of its past historic and literary worth, they wanted the path closed to protect the privacy/security of a nearby stable.

We tried to reason with both G.M.C. and N.T. but to no avail so we launched a press campaign in the belief that such an interesting path should not be closed. Fortunately public reaction, which swiftly followed the newspapers' exposure, persuaded G.M.C. to think again and so Potters Walk is safe. Much more reprehensible was the National Trust's role, whose officials seemed to be spoiling for a showdown with us.

**Ashton-under-Lyne F.P. 120 (Tameside M.B.) O.S. Ref. 922001 to 923003 (Sheet 109)**

This path too, was near to Daisy Nook and our chief reason for objecting to Tameside's scheme to divert the path on to a car-access way for a Leech Homes housing development, was that the walker would lose good views over fields to Daisy Nook, which incidentally was also christened by Ben Brierley. We suggested by way of compromise that a compensation path on the edge of the development would be better, but the developers would have none of it and Greater Manchester Council invoked their ridiculous and illogical “anti-ginnel” policy against such a path because it would run behind some garden fences.

Mindful that public inquiries cost money, and mindful also that the Department of the Environment were suffering their own internal problems, we opted for the "written representation" method of objection. Their decision, in summary, was that the Secretary of State much preferred our ideas to both the Council's or the builder's, so until they can come up with a satisfactory creation, the development around F.P. 120 is delayed. This decision is rather important on two counts; firstly, it gives a value to the "loss of amenity" viewpoint which the Council had tried to argue was not relevant to a TCPA Sect. 210 diversion; and secondly, it roundly condemned the proposed re-routing of a country footpath on to a pedestrian & vehicular shared access-way of the type which is becoming trendy (and cheaper) in recent housing developments.

**Bamford F.P. 3 (Peak Park Planning Board) O.S. Ref. 207836 to 208835 (Sheet 110)**

This was, in many respects, very similar to the Ashton case above, but it is worth inclusion and repetition since a different D. of E. regional office was involved (thus proving that the Ashton decision was not an isolated quirk), the path is well known to Peak District ramblers, being the one signposted to Outseats from Bamford Village Green, and finally because the P.P.P.B. on whom we often rely for support on environmental matters, were against us on this particular occasion.

It was the usual story, a developer having, against the odds, succeeded in obtaining planning permission for "executive" houses in the village did not want the people who would buy the houses, have their views spoiled by ramblers. Therefore, with the lamentable and active support of the Boards' planners, a plan was hatched to do away with the path and force walkers on to an access-way shared with vehicles, thus fragmenting a useful path. At the inquiry (TCPA Sect. 210) we were glad to have the support of the Bamford Parish Council. The result was a defeat for the builders and the Board and we got the distinct impression that it will be a long time before the Board challenges us again to a public contest.

**Stockport F.P. 135 (Stockport M.B.) O.S. Ref. 864905 to 864904.**

Yet another TCPA Sect. 210 result favourable to us and causing annoyance and consternation in the Council Offices. People who recall Heaton Mersey Station on the Midland line through Stockport may well remember the sloping footbridge across the station which carried a public footpath towards the Mersey; that was F.P. 135, "was" because the footbridge was improperly removed by the developers with the knowledge of Stockport Council. Both then came along seeking a so-called diversion, mainly on to an existing estate road. The Secretary of State, in his decision following an inquiry, said once again that an estate road was not a satisfactory replacement for a footpath. Once more the development is stymied until the developers and the Council come up with something acceptable.

**Failsworth F.P. 21 (Hollinwood Canal Towpath) Oldham M.B.  
O.S. Ref. 907020 (Sheet 109)**

This, you could say is part four in the Society's battle against Gay Displays, the tiny but argumentative little firm which for over 10 years have tried to get rid of the old towpath at Roman Road/ Street Bridge in order to expand their factory. Backed by Oldham Council in the late 60's and early 70's they tried three times in the Magistrates Court to get a closure, but each time we won mainly due to the fact that despite its present neglected state, the towpath has a tremendous potential as a future link walk between Hollinwood and Daisy Nook. In 1976/77 after more paper battles it looked at last as if a workable solution had been thrashed out. They agreed to keep the path on its present alignment and we did not object to their planning application to put their extensions on the canal bed, but someone reneged on this, and they were back again in 1979 seeking an odd little diversion of the towpath mostly on to existing roads, under TCPA Sect. 210 "to enable development for which planning permission had been given, to be carried out". Thus 1980 found us at Inquiry again, but it did not do them much good, and as readers will have gathered, once more the D. of E. threw out the application, apparently, and if so quite justifiably, because it was most unfair to expect walkers to exchange a traffic free path for a road walk.

**Spenborough F.P. 21 (Kirklees M.B.) O.S. Ref. 187272 to 188272  
(Sheet 104)**

This path was the severed end of a once-popular rural way, chopped off by the M62 Motorway, for which no bridge or underpass was provided. In the past, Councils have come along with the ostensibly plausible reasoning that since such a path is a dead end it could be closed as "not needed for public use" under Highways Act Sect. 110. This Spenboro' case was the first of an intended series of a dozen or more such paths which the authorities had in mind to get rid of in Kirklees. Rightly, local people opposed it on the grounds that, even though it might at present be a dead end, it still formed a nice little "out and back" walk, whilst with the stub-end there, a crossing of the road was at least a possibility in the future. The D. of E. accepted that the path, though a dead end, was an amenity and should therefore not be closed. A most significant decision and one for which we should thank our supporters in Yorkshire. A final twist is that the authorities, in the wake of this decision, lost some of their enthusiasm for the other "stub end" closures.

West Sutton F.Ps 6 & 13 (St. Helens M.B.) O.S. Ref. 502941 to 504942  
(Sheet 108)

British Rail's Civil Engineering Department can have the honour of winding up 1980's catalogue of horrors on the footpath front. Certainly for sheer naivety and deviousness these attempted closures of two footbridges at Thatto Heath are pretty remarkable. One they wanted to close so that lorries on a demolition contract, for which B.R. were receiving money, would be able to continue using the bridge for a couple of years without their drivers being hindered by pedestrians! On the other proposed bridge closure they just thought they might as well demolish it to save maintenance even though structurally there was nothing wrong with it! St. Helens M.B.C. also objected to these "reasons" for closure and when B.R. chose to proceed under a little-known bit of local legislation allowing direct access to the Magistrates Court for closure, they rushed the application in three days before the local Act itself was due to expire! However, their team of experts forgot just one thing, they posted the closure notice on the wrong bridges with the result that the Magistrates sent them packing and we did not even have to begin to present our case for objection. Now, with the Local Act gone, and the Council unwilling to process a closure, they are well and truly off the rails. We are closely watching about a dozen other cases involving B.R. More horrendous happenings next year.

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## ANNUAL DINNER 1980

That dedicated conservationist and live-wire M.P. Mr. A. F. Bennett, Member for Stockport North – who is also a member of the Society, was the guest speaker for our annual get-together.

It was exceptionally gratifying to have an M.P. from a local constituency, who was well versed in a subject relevant to the Society's aims and objects. In particular, he stressed the importance of involving the attention of more M.P.s in the work and problems of footpath preservation and kindred matters.

A humorous but thought provoking response was given by Dr. Angus Bateman, one of our Inspectors, whilst Mrs. Pat Bramwell – our Membership Secretary helped us to see the funny side of life with her vote of thanks. This concluded a thoroughly enjoyable evening following an excellent meal, but as usual, many friends stayed on to renew friendships with other members until a later hour.

L.G.M.

## NORMAN REDFORD SIGNPOST

A signpost in memory of our former Chief Inspector and Vice-President, Norman Redford, was dedicated at a meeting place of paths near Wicken Walls, Flash, (GR SK 016 672) on 19th July, 1980 in the presence of many friends including his sister, Mrs. Rhodes, and Miss May Heaps, his friend and companion on many rambles. Our President said:

“When the National Parks Act was passed in 1949, the Old Society, which for many years had dealt mainly with casual obstructions, was suddenly confronted with an official survey of the whole footpaths system in the district, involving many hundreds if not thousands of paths. It was clear that land-owners would take the opportunity to challenge many of the paths claimed as public, and that we should have to produce a mass of evidence in their defence, all within a comparatively short space of time. It was an enormous and daunting challenge quite beyond the two inspectors who had previously dealt adequately with our work, and it was clear that a major effort would have to be made.

Norman Redford was the man of the hour who emerged from one of our affiliated clubs to organise a corps of volunteers, distribute maps and check the results. He is said to have worked on the Survey every week-end from 1950 to 1966 and was responsible for the addition of a great many omitted paths to the draft maps.

He was a warm hearted and much respected man who never made an enemy that I know of, and soon became a leading figure in the Society and remained in its services until forced to retire by ill health in 1970. On occasions, when dissention arose at Council meetings, Norman could speak with the authentic voice of the Society and soothe ruffled feelings. He was a gentleman I was proud to count as a friend, and his death was a very sad loss to all of us.

This signpost is situated in a district that he liked very much and that we often visited much more in the old days of rail transport than we do now. My impression on recent occasions is that it is getting neglected, with paths blocked here and there, including some not far from here. This post, four square like Norman Redford himself, will help to keep some of them open, and in the name of the Peak and Northern Footpaths Society I now dedicate it to him.”

F.H.

## CHANGE OF OFFICE

After five years as Membership Secretary Mrs. Pat Bramwell is handing over the reins to Mr. Ted Whittaker, but will continue her interest as Assistant Membership Secretary. Pat has given first class service to the Society since her appointment in 1974 and has been a valued source of new members as can be seen from this year's membership contributions — no doubt much of this is due to her infectious enthusiasm. Many thanks Pat for a great job well done.

Ted Whittaker's address is published at the front of the report. All subscriptions should be sent to him together with details of any new members you may be able to enlist.

L.G.M.

## ANOTHER STEP FORWARD

One of the major problems which has faced the Society in recent years has been the storage of a large quantity of valuable documentary records and maps, which until recently have been dispersed at several locations, mainly the homes of past officers.

During the year under review the Society made effective the decision to establish an Archive and Record Section and took over tenancy of a large room in premises at Hazel Grove. This has been furnished and equipped with steel shelves, filing cabinets, a large table and seating accommodation for between ten and twelve people, whilst two walls have been lined with insulation boarding to allow the affixing of constant reference maps relating to the Society's area and that of adjacent societies.

The Society's old photo-copier has been renovated to give a further (but limited) use of life, but a replacement may be necessary in the near future. Later in the year the opportunity was taken to purchase a Double Elephant Plan Cabinet at a very reasonable figure and this is now in use.

The Society's Colour Slide Lecture is also being revised and members are invited to contribute any suitable 35mm. transparencies which may be of interest.

Definitive Footpath Maps of several Counties are filed for easy reference and work has commenced on a card indexing system of the Society's activities, in particular the recording of any footpaths which have come under the scrutiny of the Society. This project is of a long term nature in view of the quantity of records involved and the assistance of members is required to deal with this work on the basis of approximately three hours per attendance. Offers of assistance should be made by 'phoning 061-483 2482 for a mutually convenient time and date.

It will be of considerable advantage to the Society's Officers to be able to have such a wealth of information in an accessible form, particularly when dealing with footpath disputes and public inquiries. In addition the room is also used for officers meetings. We are indebted to the Society's Librarian for the assistance given in respect of this project and to those other members who have contributed in various ways.

To complete our library of Annual Reports we need the following editions:- 1928, 1933 to 1937, 1942, 1948, 1955, 1961 & 1968.

Offers of copies of the above would be appreciated, together with any copies earlier than 1924.

L.G.M.

## FOOTPATH REPORT FOR 1980

### CHESHIRE COUNTY COUNCIL

**Croft F.P. 20** (Warrington B.C.) This was an apparently innocent-looking application for the diversion of a field path on to a headland route but we were assured that there would be maintenance difficulties from an overhanging hedge. Also the application had been anticipated. The Society has lodged an objection.

**High Legh F.P. 15** (Cheshire C.C.) An unnecessary application for the diversion of a field path which the Society will not entertain. There has been a previous history of interference with this path.

**Mobberley F.P. 13** (Macclesfield B.C.) This path was advertised for partial closure when a diversion would have been more appropriate. At the inquiry landowners denied that the path had ever existed and in the subsequent inspection even refused to let the Inspector walk the true line of path on his official visit. Council witness indicated that if the route was properly opened up, people would use it. Violence is threatened to potential users at present. Inquiry result awaited.

**Mottram F.P. 6** (Macclesfield B.C.) A proposed diversion for privacy which the Society does not accept and will oppose.

**Nether Alderley F.P. 31** (Macclesfield B.C.) A diversion requested to allow sand quarrying to take place. The diversion route was ridiculous and quite unacceptable. The Society has lodged an objection.

### DERBYSHIRE COUNTY COUNCIL

**Aston F.P. 7** (High Peak B.C.) In 1977 the County Council asked the Society to consider a closure application for this cross-field path which is very useful for ramblers going from Hope Station in the Brough/Bradwell direction. The reason given was that the landowner would only agree to give the County Council extra land to make a main road footway in exchange for the closure of F.P. 7. Mr. Newton, when Secretary, told the County that this was unacceptable and now the farmer, backed by the N.F.U. has made a fresh application. The Society has refused to be a party to the deal and will oppose any order made.

**Bamford F.P. 3** (Peak Park) See C & D Secretary's Report.

**Brackenfield F.P. 1** (N.E. Derbyshire D.C.) this diversion application, the Council wishing to re-route the path on to a "temporary" line to facilitate farming practice, has occupied the Society's attention since 1973. The public inquiry was held on the 5th December, 1979 and we have since been advised that the S of S has dismissed the application, since a diversion which is twice the length of the original takes up twice the area of land sterilised by a path so its diversion can hardly be for the "more efficient use of land" as required by Highways Act Sect. 111.

**Dronfield B.W. 12/F.P. 17** (N.E. Derbyshire D.C.) This is another "houses over a path" case and the Society lodged objection. The inquiry was held on the 7.5.80 and the result is still awaited.

**New Mills F.P.s 46 & 48** (High Peak B.C.) A minor, but un-natural diversion to placate a farmer (first reported in last year's report). The hearing was held on the 11.12.79 and the diversion was refused. Mr. J. F. Houfe, who appeared for the Society stresses in his report how important it is that written evidence of obstruction should be available to submit to the Inspector.

**Outseats F.P. 14** (West Derbyshire D.C.) This case was dealt with by written representation and the S of S has confirmed the order but issued a strong hint to the Council to get the obstructed F.P. 13 cleared.



**Shirland & Higham F.P. 24/Stretton F.P. 32** (N.E. Derbyshire D.C.) This was a simple looking T.C.P.A. application for diversion to allow for a toxic waste dump. The proposed diversion route would involve some road walking and would fragment a walking route. Objection lodged and inquiry to be held.

**Staveley F.P. 26** (Chesterfield M.B.) The intention is to re-route this path on to an estate road whereas an independent route can be provided quite easily. Objection lodged.

**Sutton B.W. 10** (N.E. Derbyshire D.C.) A long obstructed route, proposals being to divert it on to an existing way used by vehicles. The Society lodged an objection and the application was heard on the 17th December, 1980. The landowners hotly contest the existence of this R.O.W. which is on the definitive map and one has threatened to shoot anyone who uses it and then shoot himself! The Local Authority also challenge the status of the map. In this case the Society was supported by the B.H.S. and the R.A. Result awaited.

**Wingerworth F.P. 31** (N.E. Derbyshire D.C.) The Local Authority wish to divert this path using H.A. Sect. 111 to help a landowner who does not choose to recognise the R.O.W., the path being ploughed out. This matter was subsequently dealt with at a "Hearing" when a stupid and indirect diversion was offered. Result awaited.

## **GREATER MANCHESTER COUNCIL**

**Ashton-under-Lyne F.P. 120** (Tameside M.B.) See C & D Secretary's Report.

**Blackrod F.P. 50 & 52** (Bolton M.B.) These paths were involved in G.M.C.'s first sad attempt (using H.A. Sect. 110 etc.) at footpath modification, which will suit no one. The paths pass through a field which has been enclosed as part of a large garden area for what was "The Boatmans" public house and not a private residence. The paths would be closed and walkers would be expected to use an existing parallel route adjacent to a canal bank where there are erosion problems.

**Bolton B.R. Footbridge – Trinity St./Johnson St.** (Bolton M.B.) British Rail propose demolition of this well-used footbridge. The Society lodged a claim for this bridge in 1971 asking the then Bolton C.B.C. to include it on their review map. This, the Council agreed to do, but with local government re-organisation the review did not proceed. G.M.C. have indicated that they are not proceeding with the review and do not consider the F.B. to be public. The Highways Committee decided on the 6th November, 1980 to recommend to the full Council that they should "do nothing". The Society believes that it has been prejudiced in this case by the County Council's inaction and legal advice has been sought.

**Chadderton F.P.s 68/69/70** (Oldham M.B.) The Society agreed in 1976 that should the developer get permission to re-develop this Green Belt land for an industrial estate, a comprehensive and independent footpath system would be incorporated. The developer received his permission, but the Council reneged on the agreement and advertised stopping-up orders under T.C.P.A. At the subsequent inquiry the S of S confirmed the order diverting the paths on to estate roads.

**Collyhurst B.R. Footbridge – Rochdale Road/Dalton St.** Again, British Rail applying for the closure of a well-used F.B. This case goes back to 1976 when the application for closure was lodged with the Crown Court under Manchester's General Improvement Act 1881. Subsequently a diversion was offered which was rejected by G.M.C., then a new path was offered but with a different purpose i.e. it led to a public house, when the present path serves both houses and flats. Case continues.

**Failsworth F.P. 21** (Oldham M.B.) See C&D Secretary's Report.

**Failsworth F.P. 57** (Oldham M.B.) See C&D Secretary's Report.

**Heaton Mersey F.P. 135** (Stockport M.B.) See C&D Secretary's Report.

**Horwich F.P. 161** (Bolton M.B.) A small privacy diversion which takes the path out of an old farmyard at Wilderswood, now a garden, on to a rough road used by cars and motorcyclists. Owners/Council say that the proposed route would be more "commodious" since some people who want to use it at present are probably too embarrassed to use the true footpath! Objection made.

**Leigh F.P.s 43 & 51** (Wigan M.B.) Agreement reached with developer and Local Authority that paths should not be diverted on to estate roads as was at first proposed, but should skirt the development from a new estate road off Wigan Road. One of the many negotiated settlements during the year.

**M63/M66 Motorway – Portwood to Denton Section.** The proposals for many F.P. diversions and closures to accommodate this section of motorway have been fully examined and the Society has lodged twelve objections. We will be represented at the inquiry expected to take place in April, 1981.

**Middleton F.P. 21** (Rochdale M.B.) Despite warnings, the developers have illegally interfered with this path and may even have built the corner of a warehouse over it. The diversion is on to estate roads and a concessionary path over farmland has been provided. The Society would have been happy with the concessionary path if it were made definitive, but this was not to be. At the subsequent hearing, Rochdale M.B. admitted they had altered the O.S. Map so that the warehouse was shown to be clear of the path. Several aspects of this hearing were unsatisfactory and have been raised with the D. of E. The hearing result was that the order was only partly confirmed, and the offending length where there was evidence of map manipulation was excluded from conformation and left to be dealt with at a later date.

**Middleton – Scrowcroft Farm** (Rochdale M.B.) Three paths proposed for diversion. Developer has built houses over the line of path. In November 1979 the D. of E. said that they were going to accept one of the Sect. 210 diversions and reject another, issuing a variation order of the third, the latter to comply with our suggestions for a sensible re-routing. Now they have issued their final decision which is to reject the whole order. The reason they give, and this is of the utmost importance, is that in view of the *Ashby v S of S* case in the High Court, the Secretary of State has no power to confirm an order when development has taken place, and in this case, it had been completed over the line of path (gardens and garages together with internal building work had still to be completed). This therefore, amounts to a vindication of our argument in the *Upperthrong* case, even though the R.A. lost that case. Further moves by the Council are awaited with interest.

**Tyldesley F.P. 63** (Wigan M.B.) A Sect. 210 case involving two alternative diversion routes, one a field type path across Public Open Space at the rear of new property giving good views and the other on estate roads. The Society, on this occasion, supported the Local Authority and the S of S dismissed the appeal. The path line now crosses the Open Space.

**Wigan – British Rail Footbridge – Wigan N.W. Station to King St.** This was a case that Wigan Footpaths Society had been fighting since 1977 when B.R. applied for permission to divert a R.O.W. in Wigan Town Centre so that they could demolish a cast iron bridge which forms a quick access to the station. They proposed a diversion which was no longer, and had the disadvantage of creating a fresh pedestrian flow across the entrance to a busy car park. B.R., annoyed by Wigan M.B.'s refusal to promote an order, applied for Closure/Diversion under a Parliamentary Bill. Local feelings were inflamed when B.R. refused even to meet objectors by stating "a site meeting is unlikely to be fruitful as the feelings of the public are not the criterion by which the expediting of the proposals should be judged". The case was subsequently heard by a House of Lords Sub-Committee and closure was granted subject to the physical laying of an alternative beforehand. Wigan Council paid the expenses of both Wigan Footpaths Society and the Ramblers' Association in this case.

## **MERSEYSIDE COUNTY COUNCIL**

**West Sutton F.P.s 6 & 13** (St. Helens M.B.) See C&D Secretary's Report.

**Skelmersdale & Holland F.P. 105** (Skelmersdale Development Corporation)  
For some time the Society has been suspicious of New Town Development Corporations' possible misuse of N.T.A. Sect. 23 to get rid of footpaths. Though the powers of this Act are wide, they do not extend to getting rid of lengths "not needed" for which the correct procedure is H.A. Sect. 108/110. However, these have to be processed by Local Authorities who do not always agree with New Town Acts. Footpath 105 leads towards Ashurst Beacon, crossing a main road where the Corporation wish to restrict pedestrian access. Objection was lodged with the D. of E., but the order was confirmed without any proper opportunity being granted to the Society to make its case, thus illustrating the unsatisfactory nature of New Town Act cases.

**Rainhill F.P. 5** (St. Helens M.B.) In preparation for the 1980 Rainhill Trials "re-enactment", British Rail applied for temporary closure of this path which bisects the site so that people would not have a free view of the locomotives. St. Helens M.B. after consulting the Society, refused the application, but this did not stop B.R. building one of their main stands over the path, which the Society discovered one week before the event. After threats from the Local Authority and the Society, B.R. provided steps over the stand. This case is described since increasing pressure is being brought to bear on Local Authorities to "temporarily" close paths for non-legal reasons that should be resisted, particularly when financial motives are behind the application.

## **SOUTH YORKSHIRE COUNTY COUNCIL**

**Bramley F.P. 8** (S.Y.C.C.) A Highways Act. Sect. 110 outright closure of an 80 yard length of path which has already been incorporated into gardens. It fragments a through walking route to open country. Objection lodged.

**Thrybergh Bridleway 3a** (S.Y.C.C.) A most illogical diversion of this Bridleway on to estate roads was proposed. The R.A. objected and we supported them. The D. of E. threw out the application on a technicality.

**Wales F.P.s 9,10,11,12** (Rotherham B.C.) This was an application for permanent closure and diversion of paths to enable open-cast tipping to take place. One new path was to be provided (N/S Direction) but there was no replacement for E/W paths. S.Y.C.C. said that a new route would always be considered when the land was subsequently returned to agriculture or taken into the Rother Valley Park, as it may be. The Society looked for guarantees regarding these paths rather than promises and as these guarantees have now been given by the N.C.B. we have withdrawn our objections.

## **LANCASHIRE COUNTY COUNCIL**

**Clayton-le-Woods F.P. 8** (Central Lancashire New Town) A rather long-winded diversion on to estate roads using N.T.A. Sect. 23. There is a distinct possibility of negotiating something better which the Society is pursuing.

## **WEST YORKSHIRE COUNTY COUNCIL**

**Batley B.W. 7** (W.Y.C.C.) A Highways Act. Sect. 108 case heard on the 23rd December, 1980. The proposal was to close as unnecessary a piece of old bridleway so that it could be accommodated into private property. The Society's Inspector contested it in the Magistrates' Court, but the application was granted

**Batley F.P. 16** (Kirklees M.B.) A proposal to close a short-cut path serving a recreation ground and Birstall Market Place. The path has been improperly incorporated into Council house gardens. The Society has objected.

**Halifax F.P. 733** (W.Y.C.C.) A once well-used path, probably over public open space, leading from a built up area to Shroggs Park. In 1977 the land underneath (a reclaimed tip?) caught fire internally and could only be extinguished by excavating the path away. To reinstate the path would have cost £5,000 and it was closed without order. However, it continued to be used by people as an essential short cut. The latest proposal is to "divert" it on to routes which, though not on the the definitive map, have been used many years and are in fact "maintained footpaths" the length of the journey being increased from 300 yards to 600 yards. The Society has lodged an objection and we gather that the proposal has been dropped.

**Spensboro' F.P. 21** (Kirklees M.B.) See C&D Secretary's Report.

**Todmorden F.P.** (W.Y.C.C.) An important H.A. Sect. 110 case since it is really an attempt by W.Y.C.C. to get a path removed from the definitive map because they don't consider it to be a public footpath. At the inquiry both the landowner and the Council attempted to throw doubts on the path's status. Result awaited.

D.T.

## SIGNPOST SUPERVISOR'S REPORT 1980-81

During 1980 had some bother finding a signwriter prepared to work at a reasonable price for a voluntary body – seem to have sorted this out now.

In the spring completely renovated our signpost No. 103 near Holt on the Allgreave Road from Buxton and the David Bellhouse memorial signpost near Coombes.

Failed to retrieve the arm from the signpost at Higher Waterside Farm, but have produced a new arm; this is at present fitted to another post for use by Mr. Meadowcroft for exhibition purposes.

Have also completely renovated one of our elderly, large cast metal plates dated 1905 for inclusion in the archives.

Several of these plates have been retrieved from the Peak National Park and are being renovated for adoption in the archives.

A four arm signpost with a suitable plaque was produced and erected at a site near Flash as a memorial to Norman Redford, on a Sunday morning early in July.

A dedication ceremony attended by about two dozen friends and members was conducted by Dr. F. S. H. Head on Sunday 19th July.

Early in the year a small copper plaque in memory of Sgt. A. F. Hart (R.A.F.), came into my possession, and has now been traced as having come from our signpost 115 sited at MR 982804; this signpost is at present reported missing – have made no progress with this matter so far.

In May, received a request from Halcyon Rambling Club, Sheffield to provide a memorial signpost for their late President, Frank Turton.

This seemingly simple matter has given rise to numerous letters, but has at last got to the stage where we have decided on a site, obtained approval, and agreed with P.P.P. Board on a suitable type of signpost.

Jack Ogden has been kept supplied with paint to carry on his more or less continuous work of repainting and often repairing signposts; he is a great worker for the society.

A visit has been made to retrieve our damaged signpost from M.R. 693807, near Arley.

A sign reported discarded at Riding House Farm, below Lose Hill, was not retrieved but was discovered to have originated from MR 171833 on the Pindale Road near Hope where it had been our No. 36 first erected in 1908, replaced in 1936, and knocked down in 1967; not since repaired.

Have since had a survey group to Rowarth to examine possible sites for a footbridge to be erected as a memorial to Harold Wild, and Derbyshire C.C. has been contacted on the subject.

During the year we have acquired a large tin of anti-vandal paint, but have not yet made use of it.

Many signposts are reported damaged by age, weather or vandalism, and a proportion of these are repaired by a few members and friends, but generally the rate of damage is too rapid for us to keep pace with.

FRANK MASON

**PEAK AND NORTHERN FOOTPATHS SOCIETY**  
**INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31st DECEMBER 1980**

<u>1979</u>	<u>EXPENDITURE</u>	£	p	£	p	<u>1979</u>	<u>INCOME</u>	£	p
	<b>Annual Report</b>								
254.30	Printing			339.10		154.00	Subscriptions:-		
<u>53.01</u>	Distribution			<u>71.58</u>		121.50	Ordinary Members	186.00	
307.31				410.68		51.88	Husband and Wife members	112.50	
	General Secretary					1.00	Transfer from 10 year Sub A/c.	68.28	
200.00	Honorarium	150.00				128.00	Junior members	.50	
	Office Expenses	<u>100.00</u>					Affiliated societies	<u>156.75</u>	
				250.00				524.03	
202.36	Postages, telephones			426.40		201.48	<b>Donations</b>	214.88	
<u>92.25</u>	Stationery, typing, dup. & printing			211.53		1730.55	Interest on depts. & invests.	2042.01	
						5.72	150th Anniversary Books		
	<b>Travelling Expenses</b>						profit on sales	2.30	
85.69	Closures & Diversions Sec.	139.15							
25.57	Inspectors	41.43							
10.78	General Secretary	9.32							
<u>40.69</u>	Others	<u>56.12</u>							
				246.02					
76.50	Literature, news			96.74					
	<b>Hire of Rooms</b>								
4.10	Annual General Meeting			5.75					
46.70	Other meetings			45.78					
	For storage of documents			208.00					
	Provision of fixtures for storage								
	of documents			19.40					
25.00	Subscriptions and donations to								
	kindred societies			36.00					
21.35	Maps, Plans			132.07					
5.00	Insurance			5.00					
13.00	Advertising			16.00					
<u>5.51</u>	Contribution to cost of memorial								
	to Arthur Smith								
	Annual Dinner	£214.94	208.87						
	Less Income	<u>£194.40</u>	<u>195.00</u>						
20.54				13.87					
<u>1182.35</u>				2123.24					
	Balance being excess of income over								
	expenditure carried to Accumulated			659.98					
1211.78	Fund			<u>2783.22</u>		<u>2394.13</u>		<u>2783.22</u>	
<u>2394.13</u>									

**BALANCE SHEET AS AT 31st DECEMBER 1980**

1979				1979				1979			
£	p	£	p	£	p	£	p	£	p	£	p
<b>FUNDS:</b>				<b>DEPOSITS &amp; INVESTMENTS</b>							
14472.62		General Fund—Accumulated Bal.	15132.60	14076.10		Investments at cost (a)				15196.85	
1855.88		Defence Fund	1991.88	2227.37		Bank deposit				1987.06	
232.23		Survey Account	232.23	16303.47						17183.91	
215.06		Signpost Account	207.45			<b>CURRENT ASSETS</b>					
79.66		Edwin Royce Memorial Fund	79.66	159.39		Stock of 150th Anniversary					
16855.45			17643.82	475.56		Books	144.69				
		<b>LIABILITIES</b>		375.91		Debtors-Inland Revenue	519.70				
7.00		Creditors	9.00	15.00		Cash at Bank	404.12				
466.88		10-Year Subscription				Cash held on Petty Cash					
		Suspense Account	614.60			Imprest Account	15.00				
			623.60							1083.51	
17329.33			18267.42	17329.33						18267.42	

**(a) INVESTMENTS**

	Cost Price		
	£	p	£
Local Authority Loans	3000.00		3000.00
Corporation and County Stocks	2901.12		2921.25
British Funds	4611.08		4786.58
Public Boards & Public Corporation Debenture Stock	2792.07		3265.00
Ordinary Shares	1892.58		2541.58
	15196.85		16514.41

Market Value at 31.12.80

R. Walsh, Honorary Treasurer.

Auditor's Report: I have examined the accounts for the year ended 31st December 1980 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 1980.

D. Staunton  
Honorary Auditor.

**FUND BALANCES**

	Balance at 1st Jan. 80	Income during year	Expenditure during year	Balance at 31st Dec. 80
	£ p	£ p	£ p	£ p
General Fund — Accumulated Balance	14472.62	2783.22	2123.24	15132.60
Defence Fund	1855.88	136.00	-----	1991.88
Survey Account	232.23	-----	-----	232.23
Signpost Account	215.06	80.20	87.81	207.45
Edwin Royce Memorial Fund	79.66	-----	-----	79.66
	16855.45	2999.42	2211.05	17643.82