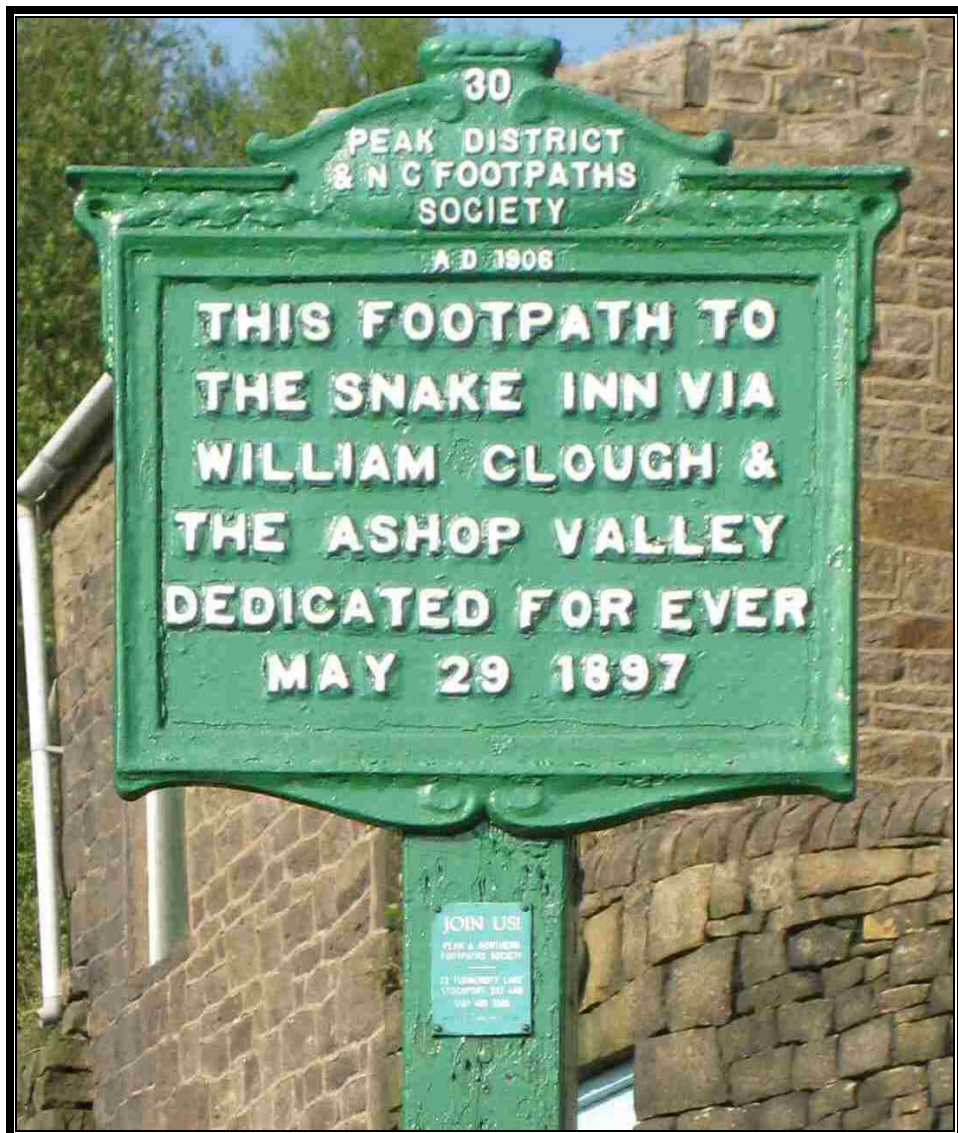


SIGNPOST

Newsletter of the Peak and Northern
Footpaths Society



RAMBLING FROM THE CHAIR

Happy 2009 to all our members. Before I start on the year ahead I should give a brief account of the final months of 2008. November was yet another busy month with a talk to very well attended AGM of the Stockport Ramblers. Next came an equally well attended half-year meeting of the Society. I won't go into details but suffice it to say that the theme was "our Society is thriving". You will have to wait for the annual report to find out the final figures, but our membership numbers are better than expected, thanks in no small part to the effort of the volunteers who manned our show stands. So a big thank you to David Bratt and all the team. A new member who wishes to be known simply as Abercrombie also stepped into the breach, phoning members who had not renewed. Renewals are still coming in as a result of her taking on this onerous task.

During November I was contacted by the Hayfield Civic Trust regarding a project to restore five kissing gates on the Snake path. They have secured funding from a number of sources, but as the project began additional costs were identified. Although this may not be required, due to other sources of funding being available, we have pledged to make up any short fall in the funds. A celebration is planned for next year and PNFS will be there.

December saw the finishing touches to the work of securing our footpath files. The files are an invaluable resource to the Society and their security from fire and vandalism had been questioned. Whilst nothing can be 100%, the files are now as secure as we can reasonably make them.

The New Year started with a very pleasant surprise, when I received an email from one of our Inspectors, Tony Brackenbury, to say he had secured the return of one of our missing signs (see page 4). At some point in the past the landowner had clearly had a bad experience and was no lover of walkers. However, Tony's approach, very much in line with the Society's "negotiation not confrontation" policy, worked and good relations have once again been restored.

On January 10th we hosted a meeting of user groups to share experiences dealing with Derbyshire County Council. The general feeling is that they are not the best authority to work with and that rights of way outside the National Park leave a lot to be desired. We agreed to send a letter, signed by all interested parties, setting out the steps we believe the County should take to improve matters.

Our first short walk of the year took place on January 12th, ably led by Peter Vickers. The weather was kind to us; the views as we did a 6-mile circuit around Broadbottom were stunning.

By the time you read this I will have chaired the first of a series of meeting to review and update our processes and policies. My personal aim is to have the bulk of the work completed before the AGM.

I'll finish off with some dates for your diary:

AGM	25 April
Snake Path	25 May (to be confirmed)
Cheshire show	23 and 24 June
Half-year meeting	31 October

ADDING PATHS TO THE DEFINITIVE MAP

At the last half-yearly meeting Terry Norris (one of our Courts and Inquiries Officers) gave a very interesting lecture on the topic of "Adding Paths to the Definitive Map" and I have attempted to summarise his presentation in this article. .Any inaccuracies are, of course, mine not Terry's

In summary: if there is evidence that a path has been used *as of right* and without interruption for a period of 20 years then the path is deemed to have been dedicated as a highway under section 31 of the 1980 Highways Act. But in practice it is rarely so simple. Evidence must be presented.

Documentary evidence can take many forms and may require some effort to find. Maps such as the early Ordnance Survey editions from the 1840s or commercial and estate maps may show the footpath. The minutes books of County and District Council committees might record an obligation to maintain the path, thus showing public status. The Inclosure Commissioners, 1750-1850, were empowered to stop up, divert and create highways, and their records might show the path.

The Finance Act of 1910 allowed land owners to claim tax relief where public rights of way crossed their land and this information is recorded in the surveyors valuation books. In the 1840s and 50s parishes were surveyed by a Tithe Commissioner with the aim of commuting tithes in kind to money rents. The Tithe maps often show roads or paths in a different colour to cropped land. Public utilities – railways, canals and turnpikes – would deposit plans as part of the parliamentary process of obtaining permission for their construction. These often show footpaths. Also, bridges and underpasses might suggest the existence of a right of way.

Walkers maps and guides produced by newspapers and railway companies are often useful. If a walk appears in several editions it suggests that the landowner had accepted that the public had a right to use the route.

But equally important is the evidence of users of the path. The 20-year period applies retrospectively from the date on which the right of the public to use the path was *brought into question*, but the 20 years' use does not have to be by the same person. Crucially, the use must not be by way of force, permission or secrecy. For example: breaking a locked gate or ignoring challenges by the landowner or tenant; asking for and being granted permission to use the path; using the path only under cover of darkness. The landowner must bring to the attention of people using the path that it is private. A "PRIVATE ROAD" sign does not prevent use as a public footpath.

Further problems include living long enough for the claim to be determined by the Highway Authority, and identifying a clear line for the path so that the evidence is consistent.

The importance of recording the many PROWs not shown on the definitive maps was recognized by the creation of the "Discovering Lost Ways" project. This was intended to be a systematic investigation of unrecorded rights of way, which aims to have them processed by the Highway Authority and added to the definitive map. After 1st January 2026 no further claims on the basis of historic evidence will be admitted and unrecorded ways will be lost forever. . As this project has now been abandoned by Natural England it is vital that this provision is repealed

COVER PHOTOGRAPH

Shortly after the publication of the last issue of Signpost I received this note from Fred Ogden, a former Signpost Officer. For interest I have included a picture of the unique Braille commemoration plate to which he refers.



"I was pleased to see the photograph of signpost 239 on the front page of the last issue of "Signpost". This post was originally sponsored by the Manchester Rambling Club for the Blind and the file shows that it was originally a fingerpost, erected in 1954 at a cost of £6-19-6!!!! The post naturally deteriorated over the years and in 1993 the sponsor club was winding up and the balance of its funds was transferred to us and was put to offset the

cost of a new post, which by then had increased to just over £40 for the main plate alone.

"The photograph does not show that there is a Braille plaque to commemorate the Blind Club's connection and I think that it is the only signpost of the Society which has a main plate plus two additional cross plates."

PEEP O' DAY PLAQUE

New Year's Day morning, on my sobering-up walk, I walked Chinley 34 to a house at the top of Maynestone Road just below Peep o' Day. I was recording the "furniture" (stiles, gates etc) along the way when a very irate gentleman came out of the house wanting to know what I was doing, with what authority etc. A long story. But anyway I heard him out and he calmed down and became very pleasant after he had allowed me to explain what I was doing and that I had no grievance about his footpath.

He then said, out of the blue, due to me being a very nice man (I must have been sober by then), "I have got something to show you". He took me to a building and pulled out the long-lost signpost from Peep o' Day. I recognised it before he had exposed a quarter of it as I had looked at it often enough long before when doing footpath work for the Blackbrook Conservation Society 25 years ago. I said the P & N would be delighted to have this sign back, hopefully to restore it to its rightful place. He agreed to let me have it.

When David Morton got in touch with me, he could not get to Chinley fast enough. He recognised it as the 1905 plaque that went missing in 1983, rather than one of the more recent ones which have gone missing from this area.

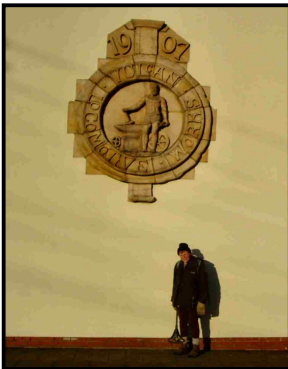
It would have been only too easy to have fallen into a volatile exchange of words with the farmer after the first words were said. But I heard him out, said my part and talked generally about the countryside. Then – EUREKA!!!

Anthony Brakenbury

WALK REPORTS

10th December - Alderley Edge Circular 5.5 miles

Neil Collie led a group of 19 walkers, many of whom had arrived by train. On a crisp December day we ascended the Edge by a circuitous route, admiring the 'footballers' villas' on the way. We inspected the remains of several old copper mines and a stone quarry in the morning. At the lunch stop, next to the National Trust information room at the Wizard, we enjoyed mince pies generously supplied by our leader. We returned, in dappled sunshine, past the Waterfall ravine and the fine viewpoint of Stormy Point.



10th December Newton le Willows to Winwick 10 miles

The experiment of having long and short walks on the same day was not entirely successful, with leader David Bratt finding only one other member, Janet Cuff, to accompany him on this walk. But quality is more important than quantity. They walked by the Sankey Canal, England's first canal built by Henry Berry in 1755-57 to bring coal to the growing chemical industries in Liverpool. Later they visited Vulcan Village, which was built to accommodate the workers at the Vulcan foundry, where locomotives, including the famous class 55 Deltics, were built from the very start of the railway era .

14th January Broadbottom Circular 6 miles

Peter Vickers led a group of 20. On an uncharacteristically bright and sunny day we walked North through the appropriately named village of Mudd as far as Mellor Church before turning South and eventually returning through Great Wood.



PNFS WALKS PROGRAMMES

SHORT WALKS

Wednesday 11 February

Leader: David Brown (01663 733236)

New Mills to Whaley Bridge linear walk.

6 miles, 700 ft ascent

Manchester Piccadilly 1052. Walk starts Newtown Station 1125. Bring lunch.

Wednesday 11 March

Leader: Dave Morton (07884 273 003)

New Mills to Furness Vale, visiting three signs donated by Sir Martin Doughty, PNFS Vice President

7 miles, 1,092 feet of ascent

Manchester Piccadilly 0952. Walk starts Newtown Station 1025. Bring lunch.

Wednesday 8 April

Leader Martin Riley 01706 848408

Shaw and Crompton circular

6 miles with some hills taken at a leisurely pace

Manchester Victoria 1038. Walk starts Shaw Station 1110. Bring lunch.

LONGER WALKS

Wednesday 28 January

Leader: Brian Morrison (0161 483 8957)

Broadbottom to Stalybridge linear walk.

10 miles, hilly.

Manchester Piccadilly 0949. Walk starts Broadbottom station 1015. Bring lunch.

Wednesday 25 Feb

Leader: John Humpherson (0161 449 0524)

Bromley Cross circular.

10 miles, hilly.

Manchester Victoria 1000. Walk starts Bromley Cross station 1030. Bring lunch.

Wednesday 25 March

Leader: Martin Riley (01706 848408)

Greenfield circular including an assertion of our right to walk Saddleworth 55.

10 miles, hilly.

Manchester Victoria 0927 (or Man Piccadilly 0911 changing at Stalybridge)

Walk starts Greenfield Station at 1000. Bring lunch.

Wednesday 29 April

Leader: David Bratt (01925 762472)

Blackrod circular via Winter Hill

11 miles, hilly.

Manchester Victoria 10.22. Walk starts Blackrod Station 1055. Bring lunch.

For all walks: please check all rail or bus times near the date.

All walkers joining a PNFS-led walk should wear appropriate clothing and are responsible for their own safety. Walk leaders reserve the right to exclude people from the walk without giving any reason for that decision.

SIGNPOST REPORT



In November Sir Martin Doughty's three signposts – S343/4/5 – at Bankend, Gowhole, and Shaw Farm, New Mills were erected by Ted and John (with the additional help of John Humpherson) and presented to Sir Martin on December 9th by Clarke Rogerson, David Bratt and myself with the local press (Buxton Advertiser) in attendance.

S347 was erected at Linton.

Thanks to Barry, Brian and Bill for their excellent painting of plates.

Then the missing S051 was 're-discovered' and replanted at Langsett by PNP Ranger Gordon Danks, and a crossplate was attached to S103 at Sparbent. S348/9/50 were erected at Highfield Farm, Upper Booth and locations were found for six signposts in Wakefield, new territory for us. At the end of the month we had 12 plates on order at Leander and had begun work with Dave Brown on updating our display of signposts on Google Earth.

In December, Ted and John erected S346 at Whitle (New Mills) and consent was obtained for three signposts in the area adjacent to Lyme Park, including a second memorial for Jim Wild on behalf of the Manchester RA. A shot-blasted and repainted S034, one of Rowland Mower's finest, was reinstated at Grindleford Bridge. I hope to find out more about Rowland from the newly released 1911 census. At year's end we had 272 signposts.

The New Year opened in dramatic style with the recovery of S005 by our Chinley inspector Tony Brackenbury (see his story on page 4). Missing since 1983, it dates back to 1905, so I decided to have it shot-blasted and it is now waiting its turn to be repainted and reinstated at Higher Hills Cottage, one kilometre up the hill from its

original location just west of Peep O' Day House. S099 with a new cross plate was restored at Stoke Ford, Abney.

Further good news came on the 12th when I telephoned Martyn Sharp, the Pennine Way Ranger for the PNP. S085 was last inspected and OK'd in 1996; i.e. it has been missing for years. But Martyn had found it at the PNP centre in Edale, and is repainting it ready for re-erection in the spring at the junction of the footpath and bridleway at the top of Jacob's Ladder. It has had a chequered career since 1935, when it was one of 11 signposts erected by PNFS in that year.

F006 at the back of Phoside Farm, Hayfield will be replaced by a signpost. Seven plates are being painted and S125 at Bagshaw is being reposted. The really good news is that a new member, Graham Broadbent from Chadderton, has offered to help with painting and maintenance of signposts 'up north', some of which are a bit neglected. Now if only someone fit in wind and limb from Stocksbridge or Sheffield or Chesterfield or 'down south' near Leek or Ashbourne would come and join our happy team. Is anybody out there?

David Morton

THE REAL WORK OF THE SOCIETY

Is the preservation of footpaths. The following extracts from a recent Legal Events Committee meeting and reports from Area Officers give some idea of the scope of this work and how energetically it is tackled.

Cheshire - Tattenhall 26: – Opposed diversion going to a hearing;. Society supporting the Council. This hearing has now taken place. Unfortunately my train was cancelled so I could not attend. Mid Cheshire Footpath Society kindly relayed my apologies and presented a summary of the Society's case. I am confident the Inspector will confirm the Order. This is an excellent diversion, which, in conjunction with the maintenance work done by the Council on adjoining paths, will bring back a useful part of the network to the great benefit of walkers. *(Terry Norris)*

Derbyshire - Modification order: Footpath from Moorhall to FP 6 Bakewell I went into Taylor House this morning to check on the paperwork for this. The path is, in fact, a small additional section of footpath which has been used by locals for 50 years or so since the adjacent housing estate was built. The case has been rumbling on for three years. Matters were brought to a head when Lady Manners School attempted to close the path in 2005. The paperwork relating to this attempted closure is a "classic" case and has an almost farcical dimension to it. The upshot is that the local authority recognises that people have been using the path for over 50 years and has agreed to it becoming an official right of way. *(Ian Ray)*

Cheshire - Application for a DMMO in respect of path from the Cloud to Bridestones, i.e. from Congleton 56 to Rushton Spencer 51 with a connection to Rushton Spencer 50 through the Cheshire/Staffordshire boundary.

This application was submitted in 2001 by Alan Soper of the Congleton RA. It was rejected by the Council on the basis that it was not possible to establish with any confidence that a public footpath subsists or is reasonably alleged to subsist. Alan

appealed to DEFRA against this finding. An Inspector was appointed, who has allowed the appeal on the basis that on the balance of probabilities a public footpath could be reasonably alleged to subsist over the appeal route. The Council has therefore been directed to make the Order under s.53(3)(i). This will almost certainly result in objections from landowners and result in a public inquiry at which the Council will remain neutral. Alan has applied to the RA for funding for professional assistance to present the case.

The Society has been involved in trying to establish a path between the Cloud and Bridestones since the 1930s. Much of the evidence presented to support the case has come from the Society's archives. I have assisted Alan by commenting on the documents drafted in support of the claim. *(Terry Norris)*



Staffordshire – Gnosall 3

The photograph is of Elephant Grass, now widely grown in Mid and South Staffordshire. Used as a bio fuel for generating electricity, the crop grows to 10ft tall and is affecting a number of footpaths in Staffordshire. The photograph is of footpath 3 Gnosall Parish. I am currently trying to get the County Council to remove the crop and open up the path. *(Harry W Scott).*

Kirklees - Denby Dale 72: – Obstruction by barbed-wire fence next to stile. Authorisation was given to serve a section 130A notice at the last officers meeting. I sent my customary letter before action to the council officer. The obstruction has now been removed by the farmer concerned. *(Terry Norris)*

Lancashire - ULN 6, 8:- Footpath creation order (s.26 HA 1980)

A riverside section of these paths has been swept away by water erosion. The County Council attempted to negotiate a replacement path with the landowner. This failed, and in view of the importance of the paths concerned the Council has made a footpath creation order. This has resulted in a huge number of objections from some local residents, the police and several local businesses. The matter has now been referred to a barrister for him to take the case at the public inquiry. The Society has formally supported the order. In my view we should go further and give evidence at the inquiry. I have visited the site and been in contact with the local RA group and the officers at Lancashire County Council. I have attached my eMail to the RA, which sets out the legal background to the order and also an analysis of the objections. This is the first 'pure' creation order I have come across. In my experience councils invariably shy away from using compulsory powers in this type of situation. Hence my eagerness to support a council that is determined to act in the interest of walkers. (There will also be opportunities to try and get some more signs and bridges in areas where we do have a significant presence.)

Have now attended a meeting with Lancashire Countryside staff at Preston to discuss progress and the role of voluntary societies. Orders concerning creation and extinguishment have now been made by Suvain QC. He has advised some amendments to the order maps to distinguish between parts of the path that have been eroded and those that are being extinguished to allow for the creation of a new path farther away from the river bank.
(Terry Norris)

Derbyshire - Killamarsh 9 and 43. Our local inspector Barrie Clark had first reported these obstructions (three barbed-wire fences and one barbed-wire fence/hedge) in 1993. We have been pushing for reinstatement ever since I became Area Officer for Derbyshire in 2007, with promises from DCC but no results. I was authorised to serve notices on DCC under section 130A of the Highways Act 1980 last July. The response from DCC was to serve notice on the offending landowner, Mr Aldous of Westthorpe Farm, under s.143 of the Highways Act 1980, to remove the obstructions. The authority supplied two metal kissing gates and two wicket gates to insert in the fences.

The photo of the new wicket gate on Killamarsh FP 9 is part of the same campaign to get some longstanding problems in Northeast Derbyshire sorted out. I served notice for Killamarsh 9 at the same time as the notices for Killamarsh 43. I am hopeful that another obstructed path nearby, Eckington 50, will also be resolved soon. I served notice on DCC for a fence at the same time as for Killamarsh 9 and 43.
(John Harker)

SEVENTY YEARS AGO

Extracted from the 1939 Annual Report

On the outbreak of war your Council considered as to whether the work of the Society should continue. Having in mind that as a result of virtually 'closing down' during 1914-18 the Society seemed in danger of going out of existence the Council was unanimously of the opinion that if at all possible the work of the Society should be carried on without restriction. One of the reasons that influenced this decision was that it seemed apparent that at an early date many thousands of additional acres of the country would be cultivated, and it would be very necessary to see that the rights of the public were reasonably provided for, and that where paths were stopped up under Government Regulations proper assurances should be obtained that the stopping-up was only temporary, and that the paths would be re-opened as public paths at the conclusion of the war, if not earlier. Moreover, by reason of its work over the past years, the Society has steadily enhanced its prestige which has made it much easier for the Society to obtain results.

Bulls in Field

On January 1, 1940, a bye-law adopted by the Cheshire County Council came into operation making it an offence for the occupier of a field or enclosure through which there is a public footpath to permit any bull exceeding the age of twelve months to be at large in such field or enclosure. A similar bye-law has applied to Derbyshire for the past four years, and to Lancashire for two years.

Proposed Steel Works at Edale

In April last year your Council was concerned at the threat to the Peak occasioned by a Sheffield steel firm having applied to the district council for permission to erect a steel works near the Mill at Edale. The industrialisation of the valley, situated as it is under Kinder Scout, would mean the ruin of the heart of the Peak and thereby of the Peak itself. Accordingly, in conjunction with the Sheffield and Peak District committee of the C.P.R.E. and other organisations, a strong protest was made to the firm, and also to the authorities responsible for the preservation of the threatened area.

The need for the steel works was appreciated, but the view was taken that that there must be many areas within reasonable distance of Sheffield already wholly or partially spoiled where the works could conveniently be erected. That the view taken by your Council and the other organisations was not an unfair one was proved by the strong protest made by members of Parliament, as a result of which the proposal to erect the works at Edale was not proceeded with.

ENJOY THE VIEW – ETHNE AND PETER CERTAINLY DO

How many times do we have an idea and say how much we would like to carry it out but never get around to it? We talked about buying a bench and placing it at a nearby location where we and others could enjoy the view. It seems a shame to wait until we are no longer alive and then instruct someone else to perform the task.



David Bratt came to talk to New Mills and District University of the Third Age, which I founded some four years ago. As a current PNFS member I took the opportunity to ask him if the Society could help us to identify the exact location of two possible sites so that we could trace the landowners and establish if the sites were within the New Mills boundary.

David Frith offered to help as, although we have always been walkers, our map-reading skills are limited. He visited us and walked with us to the two sites. David then sent us maps to identify exactly what we needed along with other information.

Three farmers later; permission granted; bench chosen, paid for and delivered. The town council parks team installed it. We are delighted with the result. If you want to see it, or even sit on it, you will find it on footpath 64 not far from Mellor Cross at SJ99198745.

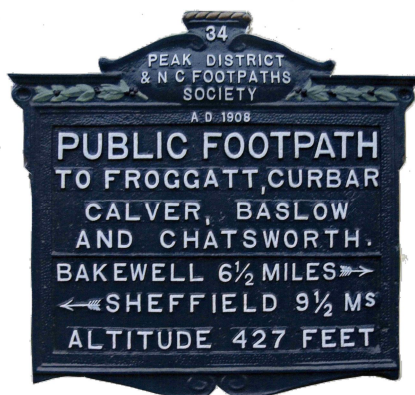
A big thank you to the Society and the two Davids who started us off on this project, which was completed within four months.

Ethne S Bailey

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