

A Paper read to Bathford Local History Soc.  
20<sup>th</sup> March 1979 by Mr P. Baker

“The Inclosure Award concerning  
Bathford Hill and Warleigh Common  
in the parish of Bathford, Somerset dated  
9 Sept. 1869”

The Inclosure Award concerning Bathford Hill  
And Warleigh Common in the parish of Bathford, Somerset dated 9Sept. 1869

The land of this country was of course originally totally unenclosed and the inhabitants lived a nomadic life moving freely about at will. Gradually however the enclosure of land began to take place, perhaps at first to keep wild animals or enemies off land which was being cultivated. Then with the emergence of chieftains, Kings and other overlords wielding power more enclosures were carried out, for example forests were set aside for hunting and land cleared for farming. Around the same time the great monastery estates began to develop and the King's top men were rewarded with gifts of land so that eventually there were large tracts of the country from which most of the population were excluded. Over the rest they had freedom to travel, to graze their animals, to cut wood, to quarry stone and so on but eventually the time came when the amount of such common land became so relatively small that each successive enclosure, which was usually done without much regard for the rights or well-being of the ordinary folk, caused resentment and agitation. So much so that in 1845 Parliament passed laws to regulate such further enclosures and to ensure that people who had rights to use the land to be enclosed would be compensated.

In those times of rapidly increasing population it was recognised that enclosure of poor land could enable it to be improved and so result in greater production of food crops whether animal or vegetable. The acts did not therefore prohibit enclosure but regulated it and tried to ensure that users who were dispossessed would be compensated. The procedure under the Act was for anyone interested in enclosing common land to make application to specially appointed commissioners giving his reasons for wishing to do so and his intentions regarding it. Often the applicant was already the owner of land, for instance he might be the Lord of the Manor. If the commissioners decided to grant the application, they appointed a valuer to obtain information as to who had rights on the land to be enclosed, to assess the value of such rights and to provide adequate compensation for each such person corresponding to his rights. The valuer would then report his findings and recommendations and after an interval for objections to be raised and dealt with he was instructed to make an Award in the matter.

Sometime before 1869 such an application was made to enclose common land on Bathford Hill and Warleigh Common and duly granted subject to the usual investigation and Award. A Mr Cotterell was appointed as Valuer but he unfortunately died before he had completed his task and a Mr Spackman was appointed in his stead. He carried out all the necessary investigations, made his report and in due course was directed to make his Award in the matter of the Inclosure.

Now I will attempt to describe as simply as possible what Mr Spackman awarded (the letters A, B etc are map references):\_

- 1 He caused certain public roads and ways to be closed. These were
  - (a) from Monkton Farleigh under Dry Arch (A) across Warleigh Common to Warleigh Lane (B) changed to 'bridle path
  - (b) from Dry Arch to Warleigh Ferry A to O; changed to footpath.
  - (c) from Fluesters Road to Monkton Farleigh Road, P to Q.
  
2. He created certain new private carriage and occupation roads
  - (a) a 20ft wide road from Prospect Place to near Brown's Folly, F to G:
  - (b) a 16ft 6in wide road from Bath to Melksham Turnpike to Bathford to Kingsdown Road - now New Road, H to I:
  - (c) a 1ft wide road from Prospect Place to field entrance, F to R:

3. He made certain new public footways
  - (a) from position ~ mile S of Brown's Folly to Bath-Bradford road near Dry Arch K to L:
  - (b) Monkton Farleigh Church Path, M to N:
  - (c) from beyond Dry Arch to Inwood Cate, S to P.
  
4. He appointed various private drains or water courses
  - (a) from above Prospect Place to fields, TI to V:
  - (b) from above Prospect Place to fields further S West and on to Mansion House, now Bathford Manor, W to X:
  - (c) from above Warleigh Manor, Y to Z and then to Warleigh Manor.
  - (d) from similar place AA to Z and then to Warleigh Manor.
  
5. Next he referred to the various pieces of land which he called Allotments and which he was going to allocate in various ways and these are:

(a) two allotments, 36 and 37, totalling 2 acres, to the surveyors of the highways of the parish for use as public quarries for supplying stone and gravel, for the repair of the roads and ways.

(b) various allotments to several already well-landed gentry, namely the Misses Ann and Susanna Briscoe, Charles Pickwick, the representatives of James Chapman, deceased, J W Yeeles who lived at Titan Barrow and W D Skrine the Lord of the Manor who lived at Warleigh Manor. (55, 55a, b, c, d and e) these allotments were subject to the obligation to preserve their surfaces in good condition and to permit them to be used at all times for exercise and recreation by the inhabitants of the parish.

(c) One allotment, 31, of 4 acres, a part of Northfield, to the Church-wardens and Overseers of the Poor in trust for the labouring poor of the parish, subject to a rent-charge of £7 per annum, which did not exceed the net annual value of this allotment in its then condition which he calculated. in the manner which was customary at that time. He decided that this value was equal to the value of:

6.64688 bushells of wheat at	7s. 01/2d. per bushell
11.73947 bushells of barley at	3s. 11d per bushell
16.96970 bushells of oats at	2s. 9d. per bushell

which I calculate to be about £9. 6s. 4d. and he awarded the £7 to the Misses Briscoe, £1 Mr Pickwick, £2 and Mr Skrine £4 as part of their compensation for their losses by the enclosure.

(d) Next he named several plots of the land, Nos 1 - 8, to be enclosed, which had been sold to raise money to defray the expenses of the Inclosures. These were :

Mr Pickwick	4. allotments totalling	6 acres which raised	£250
James Baldwin	2 allotments totalling	2 acres which raised	£84
Henry Skrine	2 allotments totalling	10 acres which raised	£473

making a total amount of £807.

(e) Then he awarded to the same Henry Skrine an allotment of 12 acres in full compensation for the loss of his rights in the soil and in mines, minerals or stone of the lands to be enclosed.

(f) Then he named 11 people whose allotments would not be more than £5 in value each and who had agreed to accept cash in lieu of land. The amount awarded was in each case £4. 11s. 3d. and the names include those of two separate John Cannings, one of Bathford living in Church Street where his descendants still reside, and one of Batheaston, a Mrs Peacock of High Street, and the owners of Belnain Villa, Eagle House, Avondale and the Crown Inn.

(g) Finally he listed a number of allotments to named people which he judged to be proportionate to the value of their respective rights. These were allotments Nos. 9 - 29 on Northfield and 32 to 51, excluding Nos. 36 and 47 the public quarries and No. 44 which although not included in those allotments on which the local inhabitants were to have the rights of recreation and exercise, is mentioned as the Recreation allotment in the description of one of the new footpaths

These allotments included ones to Elizabeth Cannings in respect of "Ivy Cottage" (now St. Cuthberts) Church Street; Mary Godwin in re cottages in Church Street on the Corner with Manor Drive; representatives of James Chapman (deceased) in re Church Farm (then known as Chapman's Farm) and land across Pump Lane and across the valley on Bannerdown slopes; Rev Hancock in re the vicarage and several other properties — The New Inn — Charles H S Pickwick in re the Mansion House (now Manor House) and much other property - H D Skrine in re Warleigh Manor (then called Warleigh House) and much other property; J W Yeeles in re Bathford Lodge; the Mill and cottages and land; J R Younger in re The Orchard. I could find no claim in re Titan Barrow or Bathford House (then called Rectory House).

Since the Inclosure in 1869 many of the allotments on the East side of New Road have been built on changing hands on many occasions some being amalgamated with others and then the resulting plot being again subdivided.

One notable change on the hillside is that recently a large area, between Prospect Place and Brown's Folly, has been acquired by the Somerset Trust for Nature Conservation who plan to maintain and improve the nature of the woodland, particularly to encourage good indigent vegetation and wild life and eventually to lay out a Nature Trail.

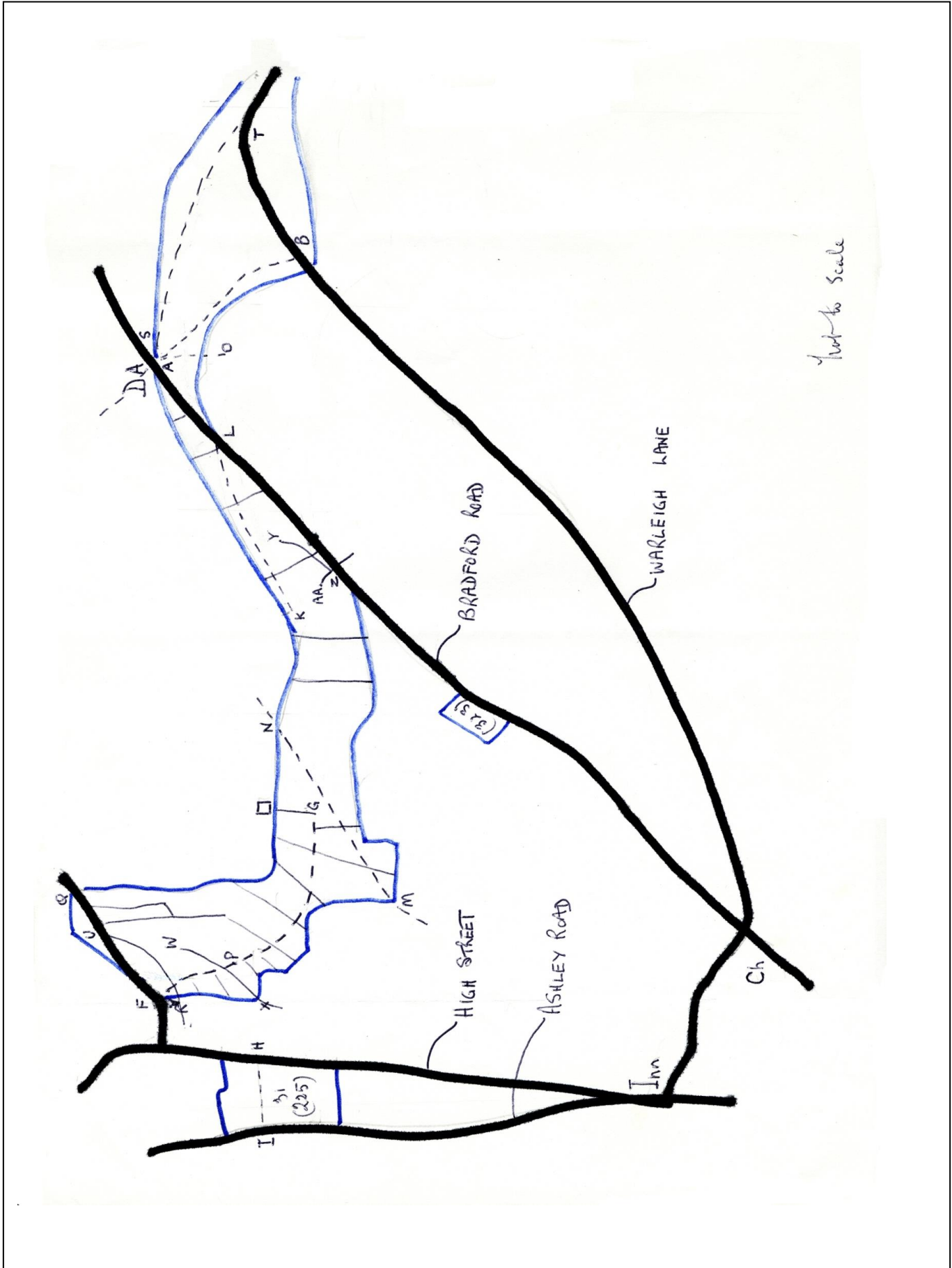
In conclusion I must say that I regard this Award as a monumental effort on the part of the valuer Mr Spackman, who clearly had most difficult task.

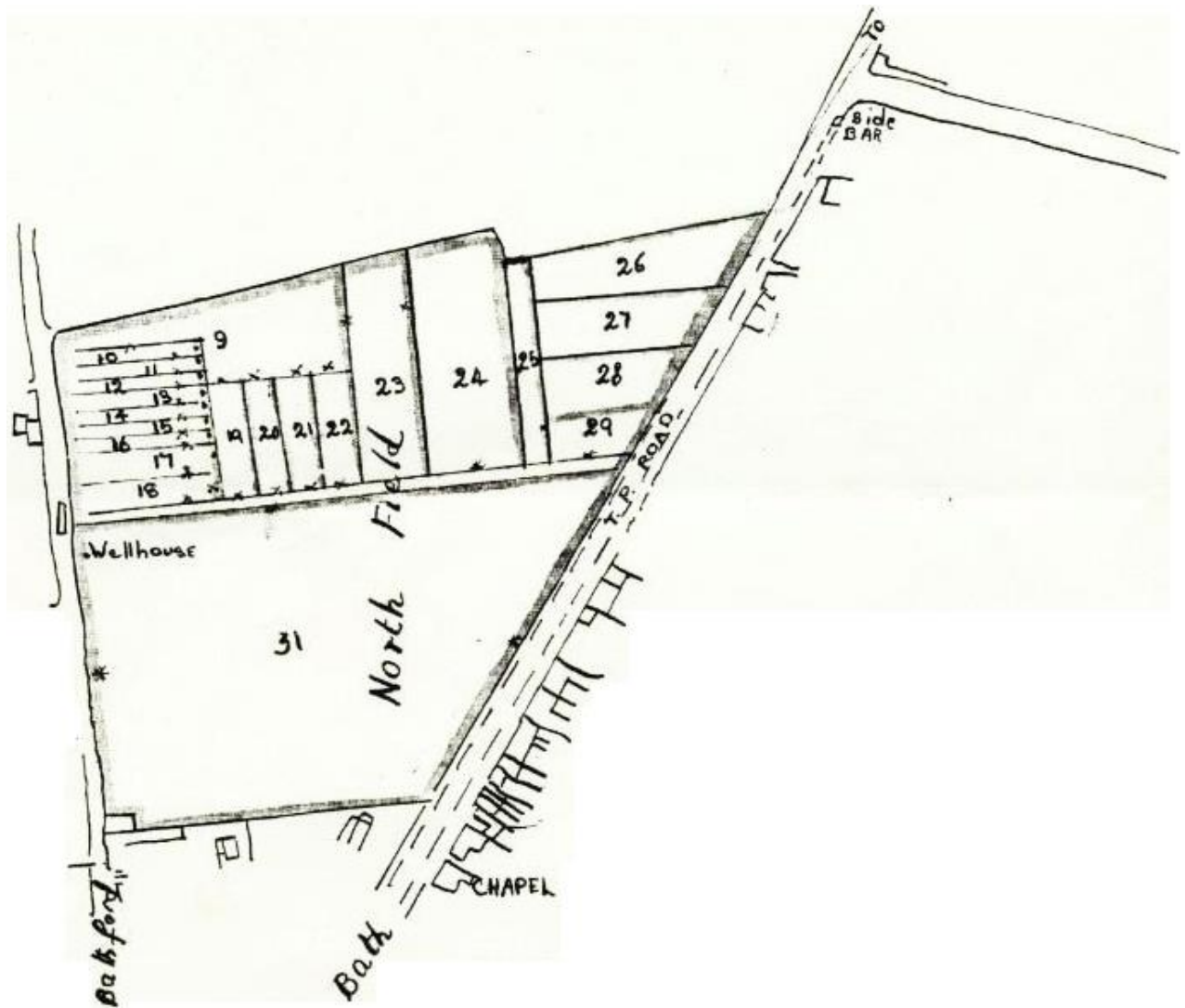
I think that it was a most important event in the history of our village.

(Thanks to colleagues, Parish Council, projector operator etc).

*Philip Baker*

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# BATHFORD VILLAGE