

# 1 | The enclosure movement in England and Wales

Enclosure was one of the most important formative processes in the evolution of the landscape of England and Wales.<sup>1</sup> The term ‘enclosure’ has been used in a variety of different ways and it is important to establish the meaning that is used in this book. Although enclosure has tended to become synonymous in common usage with physically shutting off a piece of land with a fence, hedge or wall, its historical, legal meaning was rather different. In this latter sense, enclosure involved the removal of communal rights, controls or ownership over a piece of land and its conversion into ‘severalty’, that is a state where the owner had sole control over its use, and of access to it.<sup>2</sup> Land could be ‘open’ (unfenced) but nevertheless held in severalty, or fenced off but ‘common’. Legally, the distinction between ‘common’ and ‘severalty’ was clear and enclosure was the process by which the one became the other. This last is the definition which we adopt.

## Motives for enclosure

The motives for enclosure constitute one of the most debated of issues in social and economic history, but the full intricacies of this debate are beyond the remit of this book. Where they do have significance is in so far as they address the spatial and temporal distribution of enclosure, and hence of enclosure maps, and the question of the choice of method of enclosure, since this determined, in large measure, whether maps were, or were not, produced.

In this context, some of the general social, political and economic explanations of enclosure need little comment, since they are primarily concerned with why enclosure should have taken place at all. Jeanette Neeson, for example, argues that a pro-enclosure lobby wished to change the social structure of rural England, a view trenchantly expressed by E. P. Thompson in his famous dismissal of enclosure as

<sup>1</sup> In addition to the modern critiques of the enclosure movement cited in this chapter, enclosure and its effects have received comment and discussion from at least the fifteenth century, when John Rous presented a petition to Parliament arguing against its social effects. For examples of contemporary attitudes to enclosure, see S. Addington, *An Enquiry into the Reasons For and Against Inclosing Open Fields*, Coventry: J. W. Piercy, 1772; ‘A Country Gentleman’, *The Advantages and Disadvantages of Inclosing Waste Lands and Open Fields*, London, 1772; J. Howlett, *Enclosure and Population*, London, 1786–7 (reprinted, Farnborough: Gregg International, 1973).

<sup>2</sup> Subject, of course to any rights of way across specified routes.

‘a plain enough case of class robbery’.<sup>3</sup> As another example, Robert Allen develops the view expressed by Jim Yelling that old open field rents were generally below the marginal productivity of the land and concludes that enclosure offered the means by which this extra income could be diverted to the landlord.<sup>4</sup> Allen also offers a reason for the supposed rise of enclosure in the eighteenth century, suggesting that the emergence of long-term mortgages at that time provided the capital which allowed large landowners to acquire peasant properties and to finance enclosure.<sup>5</sup> Whatever the validity of such arguments, they do not address the observable temporal and regional variations between 1700 and 1900 with which this chapter is primarily concerned. They are also concerned primarily with parliamentary enclosure, whereas other methods were at least regionally significant, with potential to generate a significant volume of mapping.

A number of economic-based explanations for enclosure do address the temporal pattern, since they link sudden rises or falls in the level of enclosure with specific economic stimuli. It has been argued, for example, that rates of enclosure were closely linked to grain prices, with commercially minded farmers seeing enclosure as a means of maximising grain production, and hence profits.<sup>6</sup> High grain prices would enable the costs of enclosure to be recovered. This argument has been applied particularly to the period of the Napoleonic Wars, when sustained high grain prices, coupled with an increasing conviction amongst contemporaries that the wars would drag on without any foreseeable end, encouraged proprietors to seek enclosure acts in order to take full advantage of the perceived favourable economic conditions.

A variant of this economic argument relates enclosure to interest rates and rates of inflation.<sup>7</sup> The argument is that high rates of inflation would have encouraged proprietors to borrow to finance enclosure, since inflation would rapidly reduce the impact of loan repayments. The logic is precisely that employed by house-buyers in Britain over much of the last forty years: it was worth borrowing as much as possible to finance a purchase, since the value of the property would increase and inflation would reduce the real cost of repayments over time. A sudden reduction in inflation would be likely to stop enclosure in its tracks and might leave a landowner, like the house-buyer, with ‘negative equity’, if he had mortgaged his land to finance enclosure. However, Michael Turner, after detailed statistical testing of various factors,

<sup>3</sup> J. M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700–1820*, Cambridge: Cambridge University Press, 1993, pp. 44–5; E. P. Thompson, *The Making of the English Working Class*, London: Gollancz, 1963, p. 218.

<sup>4</sup> R. C. Allen, ‘The efficiency and distributional consequences of eighteenth century enclosures’, *Economic Journal*, 92 (1983), pp. 937–53, especially p. 937; J. A. Yelling, *Common Field and Enclosure in England 1450–1850*, London: Macmillan, 1977, pp. 209–13.

<sup>5</sup> R. C. Allen, *Enclosure and the Yeoman*, Oxford: Clarendon Press, 1992, especially pp. 78–9 and 310–11.

<sup>6</sup> For example, N. F. R. Crafts, ‘Determinants of the rate of parliamentary enclosure’, *Explorations in Economic History*, 14 (1977), pp. 227–49.

<sup>7</sup> D. N. McCloskey, ‘The enclosure of open fields: preface to a study of its impact on the efficiency of English agriculture in the eighteenth century’, *Journal of Economic History*, 32 (1972), pp. 15–35.

concludes that it was more the availability of finance that was likely to have been the main determining factor, rather than agricultural prices.<sup>8</sup>

Although economic factors undoubtedly contributed to the overall chronological pattern, economic explanations do raise a number of issues. First is the fact that such explanations are based very largely on the patterns of parliamentary enclosure and, as will be argued later, this was by no means the only type of enclosure taking place during the parliamentary period. In some parts of the country, other forms of enclosure exceeded parliamentary enclosure into the nineteenth century. Second, even in the case of parliamentary enclosure, it is difficult to conceive how factors such as grain prices or inflation rates alone could have produced such markedly different effects in various parts of the country at the same time. Communities in the grain-producing parts of Wiltshire continued to seek enclosure by act of parliament throughout the period of low prices after the end of the Napoleonic Wars and it is inconceivable that the vastly different temporal patterns of enclosure in, say, Leicestershire and East Sussex are explicable only in terms of interest rates or inflation. The grain-price argument also breaks down in the face of the fact that much of the land being enclosed, especially during the Napoleonic period, was quite unsuited to commercial grain farming. The individual proprietors responsible for obtaining an enclosure act were thus not going to gain directly from high grain prices, although such prices may have contributed to a general agricultural prosperity and feeling of optimism, thus encouraging them to proceed.

Enclosure involved two processes: a property reorganisation movement (field and meadow land) and a reclamation movement (common and waste), movements which were not contemporaneous. In any one part of the country, the former tended to precede the latter, with the temporal divergence increasing with distance from a midlands core, at least as far as parliamentary enclosure is concerned.<sup>9</sup> It is therefore necessary to consider the two movements separately, bearing in mind that the small commons characteristic of the midland belt were often mere adjuncts to the fields, whereas in much of the rest of the country they were independent entities, often far larger than any open fields, should these exist at all.

Late eighteenth-century agricultural commentators such as Arthur Young saw the open fields as highly inefficient. They argued that scattered strips wasted time and effort and that where communal controls were rigidly imposed they prevented the use of new crops, notably fodder crops such as the turnip, and nitrogen-fixing fallow crops such as clover. The boundaries between strips, whether baulks or unploughed strips, wasted valuable land and harboured weeds which inevitably seeded themselves amongst the growing crops. Criticisms of the associated commons were even more

<sup>8</sup> M. E. Turner, *English Parliamentary Enclosures*, Folkestone: Dawson, 1980, pp. 94–134.

<sup>9</sup> J. Chapman, 'The extent and nature of parliamentary enclosure', *Agricultural History Review*, 35 (1987), pp. 25–35.

virulent. At best, they were a waste of valuable land which could be used to feed a rapidly growing population; at worst, they were a major source of social evils, harbouring 'a base encroaching crew' of thieves and idlers whose activities robbed the rest of the local population of their livelihood.<sup>10</sup>

Whether the open fields were as inefficient as Young argued has been disputed by some recent writers. Allen, for example, claims that there is no reason to suppose that they were necessarily less productive and Donald McCloskey has pointed to the contribution of dispersed holdings to a risk-avoidance strategy.<sup>11</sup> However, there is little evidence that contemporaries thought in this way. Contemporary opposition to enclosure was largely focused on issues of the social evils or injustices associated with the process. Landowners, on the other hand, were in little doubt that enclosure of fields would result in increased productivity or rents. For most landowners the question was not whether to enclose, but how it should be done and when the process might best be undertaken.

An alternative explanation for field enclosure centres on the premise that the classic open field system was essentially ecologically unstable and moved towards collapse as soil fertility was driven slowly, but inexorably downwards.<sup>12</sup> Excessive grain cropping has caused problems in parts of England even in more recent times. In the mid-1930s, for example, a contemporary writer pointed to the damaging effects still visible in the chalklands of Yorkshire as a consequence of the First World War ploughing-up campaign.<sup>13</sup> For open field farmers, lacking artificial fertilisers, land could easily become exhausted, especially if rotations were imposed in an inflexible fashion. In such a situation, one possible response would be enclosure, both of the common fields to allow them to be rested from constant cereal production, and of the associated common pastures and wastes, to replace the lost arable. This argument has been invoked to account for eighteenth-century enclosures in Denmark, and undoubtedly has relevance to England.<sup>14</sup> Many of the partial and temporary enclosures in the chalklands of seventeenth-century Wiltshire were an attempt to overcome the problem of sustainability, and specific references occur in both agreements and acts.<sup>15</sup> For example, at Barrowby, Lincolnshire, land in Cawklands was stated in 1697 to be so 'sour' from overploughing that it was to be rested under grass, with

<sup>10</sup> Charles Hassell, a leading enclosure commissioner. National Library of Wales, Ms 1444F.

<sup>11</sup> Allen, 'The efficiency and distributional consequences of eighteenth century enclosures', D. N. McCloskey, 'English open fields as behavior towards risk', in P. Uselding (ed.), *Research in Economic History*, London: Jai Press, 1976, pp. 124–70.

<sup>12</sup> M. M. Postan, 'Some evidence of declining population in the later Middle Ages', *Economic History Review*, 2nd Series, 3 (1950), pp. 221–46; W. S. Cooter, 'Ecological dimensions of medieval agrarian systems', *Agricultural History*, 52 (1978), pp. 458–77.

<sup>13</sup> A. G. Ruston 'The Ridings of Yorkshire', in J. P. Maxton (ed.), *Regional Types of British Agriculture*, London: Allen and Unwin, 1936, pp. 73–9.

<sup>14</sup> Thorkild Kjaergaard, *The Danish Revolution, 1500–1800*, Cambridge: Cambridge University Press, 1994.

<sup>15</sup> J. Chapman and S. Seeliger, *Enclosure, Environment and Landscape in Southern England*, Stroud: Tempus, 2001, pp. 116–17.

one-third of Barrowby Moor to be enclosed each year to make up the arable deficit. This was probably not intended to be a permanent arrangement, but was the sort of informal agreement which ultimately led to the abandonment of communal rights and controls.<sup>16</sup> Enclosure at Barrowby was completed by an act of 1762. Similarly, the enclosure act for Sunningwell, Berkshire, cites damage to the land as a result of constant tillage as a reason for the enclosure, while that for Loughborough, Leicestershire, claimed that parts of the open fields were unsuited to tillage. Ecologically based explanations inevitably implied regional variations, since different soil types would deteriorate at different rates.

In the specific case of enclosures of common and waste, the situation was a little different. Contemporary theorists were inclined to view them as a wasted resource, whose reclamation would contribute to the general good. Walter Davies, for example, writing in the context of South Wales, saw better exploitation of commons as a way to provide additional employment and to alleviate rural depopulation.<sup>17</sup> Landowners saw enclosure of the commons as a means of bringing 'unproductive' land into use, with a consequent increase in income. However, the more level-headed realised that the profitability of enclosing the large wastes depended very much on their physical character. Commons varied enormously in this respect, from the dry, lime-rich downland of southern England to the wet, highly acidic moors of parts of Wales and the west of England; from marshy, sea-level commons fringing the coasts of Hampshire or Monmouthshire to the upland commons of the Pennines at altitudes in excess of 600 metres. Commons ranged in size from half a hectare or so of roadside waste to 3000 or 4000 hectares of open moorland. Their management was equally diverse. There were stinted, carefully managed commons where the rules were strictly enforced, and unstinted, uncared-for wastes where all manner of uncontrolled abuse of the environment could take place. At Portsmouth, the Court Leet fought an unavailing battle to control the damage both to the common and to the arable fields caused by builders digging sand and gravel for urban development.<sup>18</sup> In circumstances such as these, genuine right-owners might feel that enclosure was the only way for them to gain any benefits from their rights. If squatters or others were being allowed to encroach, or overstocking, either by outsiders or by those with genuine rights, became a serious problem, enclosure may have seemed an attractive solution, even to the small proprietor. Properly managed stinted commons were not necessarily immune to overstocking either, since traditional stints were often set too high. When, or whether, such problems became sufficiently serious to persuade local people that enclosure was essential depended on the combination of circumstances in a particular parish.

<sup>16</sup> Lincolnshire Archives Office Cragg 5/1/8.

<sup>17</sup> Walter Davies, *A General View of the Agriculture of South Wales*, London, 1815, vol. 2, pp. 72 and 78–9.

<sup>18</sup> Portsmouth City Record Office L2/8/1–4.

In practice, neither physical factors nor economic impacts can be taken as fixed for all regions for the whole time-span of enclosure. Changing technology, a growing understanding of soil chemistry and improved transport networks meant that perceptions of the value of particular areas changed dramatically. David Grigg, for example, illustrates the reversal of relative values of land which could come about within a small area as a result of new techniques.<sup>19</sup> Likewise, Michael Turner's claim that shortage of pasture forced enclosure of open arable in the midlands in the eighteenth century helps explain regional variations: this factor would hardly apply to the North York Moors, where available pasture normally greatly exceeded the acreage of open field.<sup>20</sup> In short, the motives for enclosure varied widely in both time and space.

In the final analysis, the decision to enclose always lay in the hands of local interested parties and, whatever national circumstances might obtain, it was local factors which ultimately determined how communities would act. It was by no means necessary for the same motivating forces to be operating in the same part of the country at the same time. There is ample evidence, for example, that some communities saw enclosure as the ideal means of obtaining a once and for all settlement of the burden of tithe payment. At Roxby, Yorkshire, this was the sole aim of the enclosure of the moor, the whole of which, together with a few old enclosures, passed into the hands of the tithe-owner in exchange for the abolition of tithes over the old enclosed land of the village. The tithe-owner received a compact block of land of some 838 acres to develop as he wished, while the proprietors were freed from the nuisance of paying tithe in kind and from the mulct on agricultural improvement which tithe payments were perceived to be.<sup>21</sup> Similar arrangements were written into other enclosures in the same area, though in some, Ebberston for example, the moor was large enough for most proprietors to receive a moor allotment as well as freeing their lands from tithe.<sup>22</sup> Where there were large lowland commons, they too could be used in the same way, as for example, at Coldwaltham, Sussex.<sup>23</sup>

It is evident also that a number of minor local motives affected the propensity to enclose. Some communities saw enclosure as an opportunity to deal with the poor rate in the same way as the tithe. While it was unlikely that they could eliminate poor rate liability entirely, as they might with the tithe, enclosing a common and vesting it in trustees whose brief was to raise as much rent as possible, and use the proceeds to lower the poor rate, was an attractive proposition to some landowners. A number of enclosure acts, such as those for Darley in the Dale, Derbyshire, and Utttoxeter, Staffordshire, were obtained for this purpose. At Mangotsfield, Gloucestershire,

<sup>19</sup> D. B. Grigg, 'Changing regional values during the agricultural revolution in south Lincolnshire', *Transactions of the Institute of British Geographers*, 30 (1962), pp. 91–103.

<sup>20</sup> Turner, *English Parliamentary Enclosures*, pp. 135–51.

<sup>21</sup> North Yorkshire Record Office ZPA 645.

<sup>22</sup> North Yorkshire Record Office NRRD BE 3, pp. 66–119.

<sup>23</sup> West Sussex Record Office QDD/6/W13.



enclosure vested the common with the lord of the manor, subject to a rent-charge to be set against the poor rate.

Urban communities were often concerned about the shortage of building land, and removing the constraining effects of a common or a common field was seen as a means of solving the problem. Portsmouth and Brighton, amongst others, solved the problem by taking in land for building, strip by strip. Other places adopted more formal methods. The enclosure acts of the environs of Nottingham in 1792 and 1839 specify the need for building land as the main purpose of the enclosures, as do those for Halesowen in Worcestershire and Gateshead, County Durham. At the award for Nottingham in 1846, properties in Derby Roads Fields were laid out as a town plan, with Wellington Circus forming the core (Fig. 1). At Gateshead, building was already well under way, as the enclosure act makes clear.

The need to preserve or confirm mineral rights was also an important economic motive for enclosure. It was a major cause of agreement enclosures in County Durham, usually confirmed by the court of the bishop or in Chancery, and it was sometimes specified in acts.<sup>24</sup> The desire to facilitate mineral development was the principal motivation for six out of fourteen parliamentary enclosures in the Cannock Chase area, with industrial and urban purposes accounting for two more.<sup>25</sup> In general, lords of the manor had to make a judgement whether to take their full allocation of land, normally one-seventh, and lose any rights to minerals which might be found subsequently, or to take a smaller amount, usually one-sixteenth, and retain their rights to anything which might be exploited in the future. At Lynton, Devon, the lord opted to retain the rights to metallic minerals only, thus obtaining a slightly larger allotment. Where rights were to be maintained, appropriate arrangements had to be made for access by the lord of the manor, with appropriate compensation for the allottee.

There are yet other time- and place-specific motives for enclosure. The rise of grouse shooting as a popular sport and an economic opportunity for landowners was a spur to enclosure of some of the high moors of northern England, notably in north-east Yorkshire.<sup>26</sup> At other places, the desire to improve rural roads and to achieve effective land drainage were significant motives, though it may be doubted whether the former was normally more than a subsidiary aim where agriculture was the only important economic activity.<sup>27</sup> Drainage was another matter, but raises issues of definition, because enclosure acts merge almost imperceptibly into drainage

<sup>24</sup> R. I. Hodgson, 'The progress of enclosure in County Durham 1550-1870', *Institute of British Geographers Special Publication*, 10 (1979), pp. 83-102.

<sup>25</sup> David Brown, 'The variety of motives for parliamentary enclosure: the example of the Cannock Chase area, 1773-1887', *Midland History*, 19 (1994), pp. 105-27.

<sup>26</sup> J. Chapman, 'Parliamentary enclosure in the uplands: the case of the North York Moors', *Agricultural History Review*, 24 (1976), pp. 1-17, especially 4-5.

<sup>27</sup> G. E. Mingay, *Parliamentary Enclosure in England*, London: Longman, 1997, pp. 48-58.

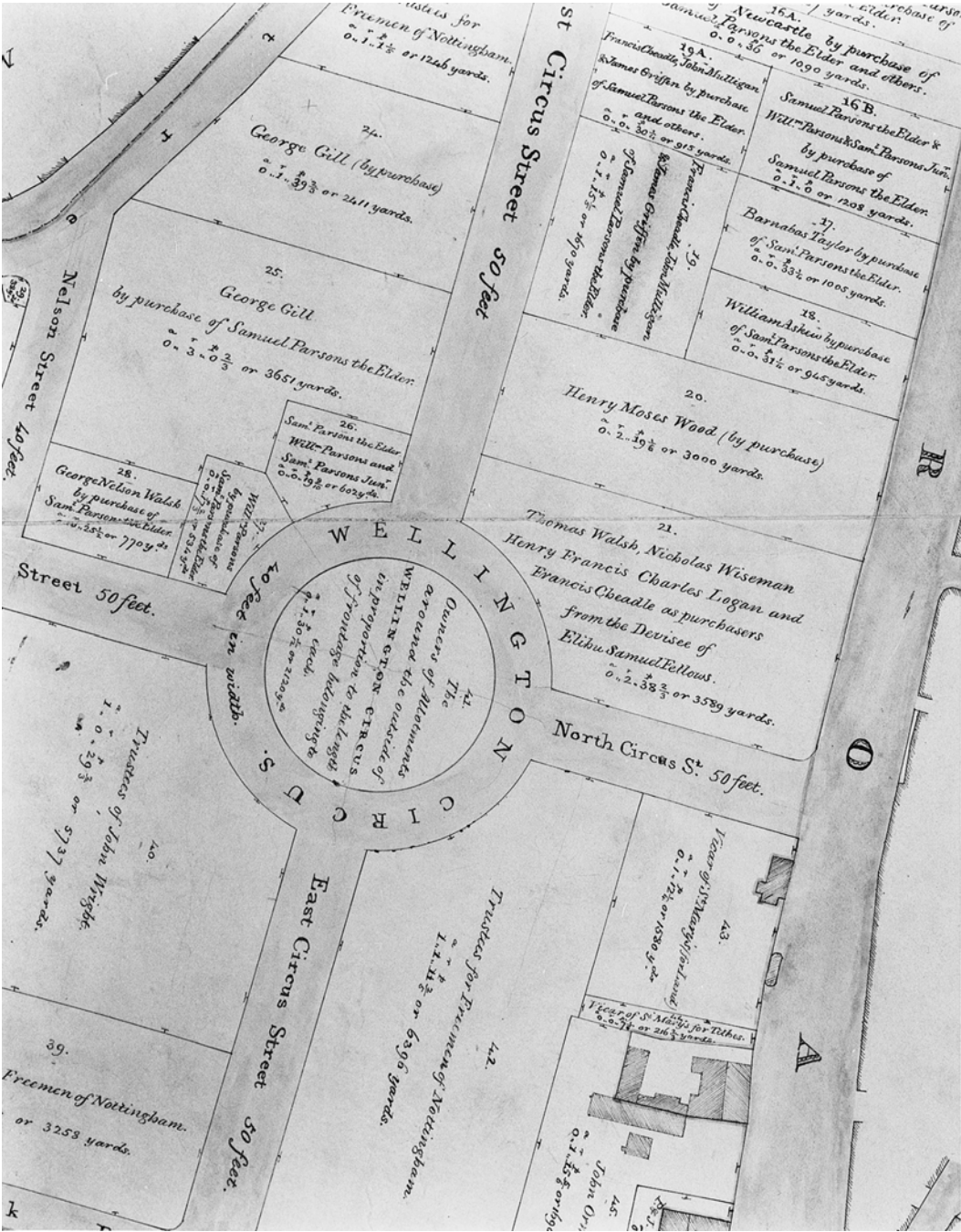


Fig. 1 Extract from Nottingham Common Fields enclosure map accompanying the 1846 award, properties in Derby Roads Fields laid out as streets with Wellington Circus at the core.



acts.<sup>28</sup> Both Michael Turner, in *Domesday of English Enclosure Acts and Awards*, and the University of Portsmouth National Enclosure Project omit many drainage acts as not primarily enacted for the purpose of enclosure.<sup>29</sup>

It is frequently difficult to determine whether the eventual trigger which set the enclosure process in motion at a particular place was a positive desire to enclose, or merely a belief that the existing situation was one that could not be allowed to continue. Even the later medieval phase of enclosure shows such a dichotomy. While Maurice Beresford has argued strongly for a landlord-driven push for large-scale commercial sheep-farming as the primary cause, others have maintained that it was the scarcity of tenants after the Black Death which encouraged landowners to convert to less labour-intensive sheep-farming.<sup>30</sup> In later times, misuse of the commons was a frequent theme of those advocating enclosure.

### Methods of enclosure

Enclosure took place in many different ways but these can be classified into two broad categories: 'formal' and 'informal'. Formal enclosures include both parliamentary enclosures, those which derived their authority from either a private act of parliament (Fig. 2) or from one of the General Enclosure Acts passed from 1836 onwards, and formal agreements, drawn up in written form, and signed by all the parties. It is with formal enclosures that this book is primarily concerned since, by definition, there would have been a written record of the process, often including a map. Conversely, informal enclosures generated no such record and certainly no maps, although occasionally a landowner might have a map drawn to illustrate the boundaries of his newly consolidated estates once the process was complete. Such enclosures are, therefore, largely beyond the scope of this volume. However, as they took place contemporaneously with formal enclosures, a brief comment on this process follows.

The most straightforward informal enclosure, although often the most difficult to achieve, was 'unity of possession'. If an individual succeeded in acquiring the whole of the land and common rights in a manor, township or parish, then any communal rights or controls ceased to operate, since there was no one to exercise them. Unity of possession could take a great deal of time to achieve, as it was necessary to wait for tenants to leave and leases and copyholds to run their term, although pressure

<sup>28</sup> See, for example, entries in the WWW Gazetteer for Washingborough, Skellingthorpe and East, West and Wildmore Fens (all Lincolnshire).

<sup>29</sup> M. E. Turner (ed.), *A Domesday of English Enclosure Acts and Awards* by W. E. Tate, Reading: University of Reading, 1978. The University of Portsmouth National Enclosure Project, directed by John Chapman, is a continuing investigation into the nature and extent of parliamentary and non-parliamentary enclosure.

<sup>30</sup> M. W. Beresford, *The Lost Villages of England*, London: Lutterworth Press, 1954. For the opposing view, see, for example, Richard Muir, *The Lost Villages of Britain*, London: Joseph, 1982, pp. 137–40.

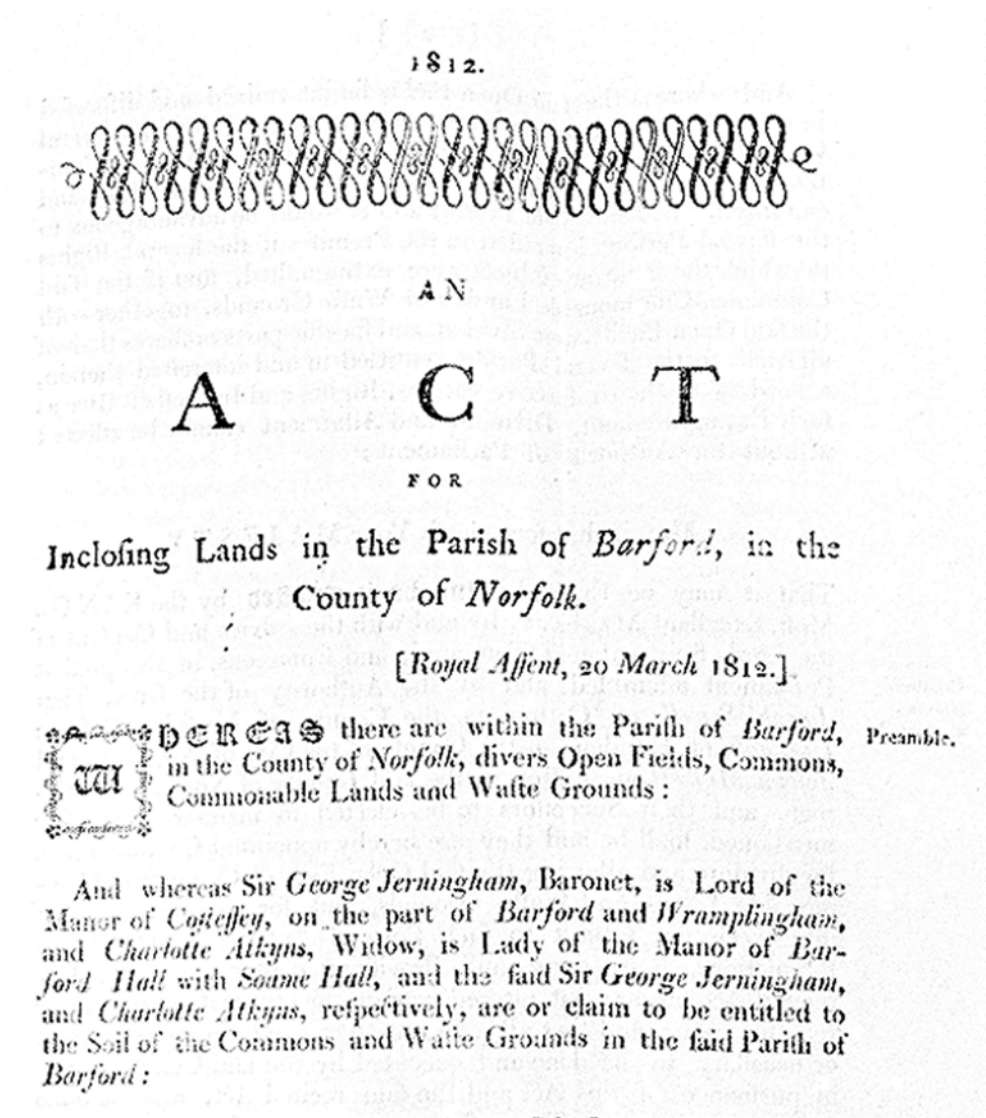


Fig. 2 Title page of the enclosure act for Barford, Norfolk, 1812.

could be applied. At Stuntney, Cambridgeshire, the landlord's piecemeal enclosing of those areas which fell in hand eventually made farming too difficult for the rest of the tenants, who were forced to sell their copyholds to him, giving him unity of possession.<sup>31</sup> Freeholders were immovable unless they could be bought out, or some bilateral agreement to exchange lands could be arranged. More difficult still was the situation where glebe land was involved, since there were serious legal doubts

<sup>31</sup> Christopher Taylor, *The Cambridgeshire Landscape: Cambridgeshire and the Southern Fens*, London: Hodder and Stoughton, 1973, pp. 148–9.