

Parliamentary Enclosure in Nineteenth-Century Surrey – Some Perspectives on the Evaluation of Land Potential

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THE study of Parliamentary Enclosure at national level has a long history ranging in time from the early works of Gonner and Slater to the more recent synthesis by Turner.¹ These countrywide perspectives have been matched by a great variety of regional studies which have stressed the physical changes enclosure brought to open-field and common or to heathland and moorland.² A few writers have considered the process of enclosure whilst others have examined the contentious issue of its effect upon the small landowner.³ Understandably the focus for much of this work has been the wholly rural districts. This paper examines the impact of Parliamentary Enclosure in a county and at a time when rural and urban influences might be expected to be increasingly in competition for the use of land. The focus is particularly upon the evaluation of land potential and the subsequent use to which the newly enclosed land was put.

Most of the unenclosed areas at 1800 were commons or heathlands. The survival of patches of open-field arable at this date and at no great distance from London, is something

of an enigma, especially when one considers Wrigley's evidence for the spread of metropolitan influences in South-East England by the seventeenth century.⁴ Tate confirmed the view that Surrey, in common with Middlesex and Hertfordshire, was a county where much of the open-field had been taken in by 1700.⁵

At the end of the eighteenth century Surrey contained an estimated 73,940 acres of unenclosed land, including 8000 acres of open-field; by 1870 about 41,800 acres had been the subject of Enclosure Acts.⁶ The agricultural value of this land was extremely varied, ranging from the fertile loams of the Thameside districts set in an area of intensive agriculture, to the relatively remote, barren heaths of the west and south-west.

Court Rolls provide evidence of piecemeal enclosure at this time, but this was little more than legalizing the nibbling at the waste lands by the cottagers who lived on the fringes of common and heath.⁷ Enclosure by

¹ E C K Gonner, *Common Land and Enclosure*, 1912; G. Slater, *The English Peasantry and the Enclosure of the Common Fields*, 1907; M E Turner, *English Parliamentary Enclosure, its Historical Geography and Economic History*, Folkestone, 1980; W E Tate, *A Domesday of English Enclosure Acts and Awards*, M E Turner, Ed, Reading, 1978.

² For example: H G Hunt, 'The Chronology of Parliamentary Enclosure in Leicestershire', *Econ Hist Rev*, 2nd ser, X, 1957; M A Havinden, 'Agricultural Progress in Open-Field Oxfordshire', *Ag Hist Rev*, IX, 1961; M Williams, 'The Enclosure of Waste Lands in Somerset 1700-1900', *Trans Inst Brit Geogr*, 57, 1972; J Chapman, 'Parliamentary Enclosure in the Uplands: the case of the North York Moors', *Ag Hist Rev*, XXIV, 1976.

³ B Loughborough, 'An Account of a Yorkshire Enclosure - Staxton 1803', *Ag Hist Rev*, XIII, 1965; J M Martin, 'The Parliamentary Enclosure Movement and Rural Society in Warwickshire', *Ag Hist Rev*, XV, 1967; J V Beckett, 'The Decline of the Small Landowner in Eighteenth- and Nineteenth-Century England', *Ag Hist Rev*, XXX, 1982.

⁴ E A Wrigley, 'A Simple Model of London's Importance 1650-1750', *Past and Present*, 37, 1967.

⁵ W E Tate, 'Enclosure Acts and Awards Relating to Lands in the County of Surrey', *Surrey Archaeological Collections*, XLVIII, 1942-3.

⁶ James Malcolm, *A Compendium of Modern Husbandry Principally Written During a Survey of Surrey*, 1805; Tate, *op cit*.

⁷ For example the Court Rolls of Horley Manor for 1808 gave licence to Thomas Blundell to enclose twenty rods on the south side of Horley Mill Road; eleven years later Thomas Marston was brought before the Court charged with illegal encroachment upon the waste (from 'Historical Notes', collected by the Horley Local History Association, no date). Further evidence of piecemeal enclosure appears in the Court Rolls for Banstead, Surrey Record Office (SRO), 212/6/232 and 233/234 for 1716-1818, also in those for Great Bookham, SRO, Acc 153, 1784-1839, and in a series of letters written by Lord Onslow concerning his claims to the waste in Windelsham;

... encroachments are perpetually taking place ... very many slips have been taken off the Waste of which cottagers and others are in possession.

SRO, 'Act for Inclosing lands in the Parish of Windelsham (and related papers)'.

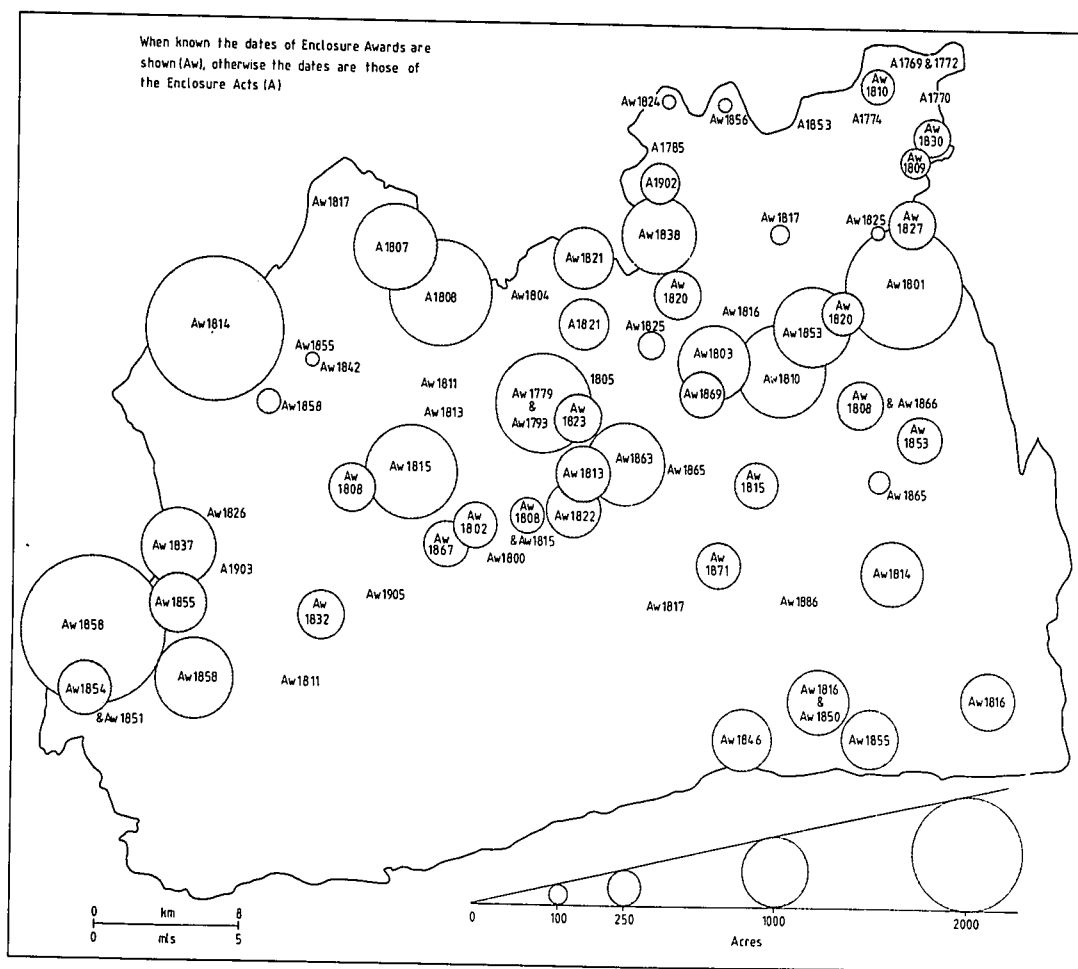


FIGURE I
Enclosure Awards for the County of Surrey

Act of Parliament was the principal means by which residual areas of open-field and large acreages of common and heath were eliminated during the nineteenth century in Surrey. The majority of Enclosure Bills were inspired by a desire to effect improvement and increase revenue from agricultural rents. At the suburban fringe two related but diametrically opposed forces were at work. On the one hand income from building development was sometimes seen as a more certain and immediate return from newly enclosed land than agricultural land-use could yield; at the same time the expansion of suburban South London generated a desire to preserve open space as amenity areas.

In common with other agricultural districts, extra-Metropolitan Surrey experienced two main phases of Parliamentary enclosure (Fig 1). The first period from 1796 to 1839 applied to both subdivided arable and to commons and heath, followed by a second from 1846 to 1870, by which time little open-field remained. In some cases the delay between the first reading of a Bill, the receipt of the Royal Assent and the laying out of field boundaries was such that agricultural prosperity had turned into depression. John Houghton had begun his attempts to improve a part of Bagshot Heath before the low prices of the early 1830s which curtailed his activities; in evidence before the Select

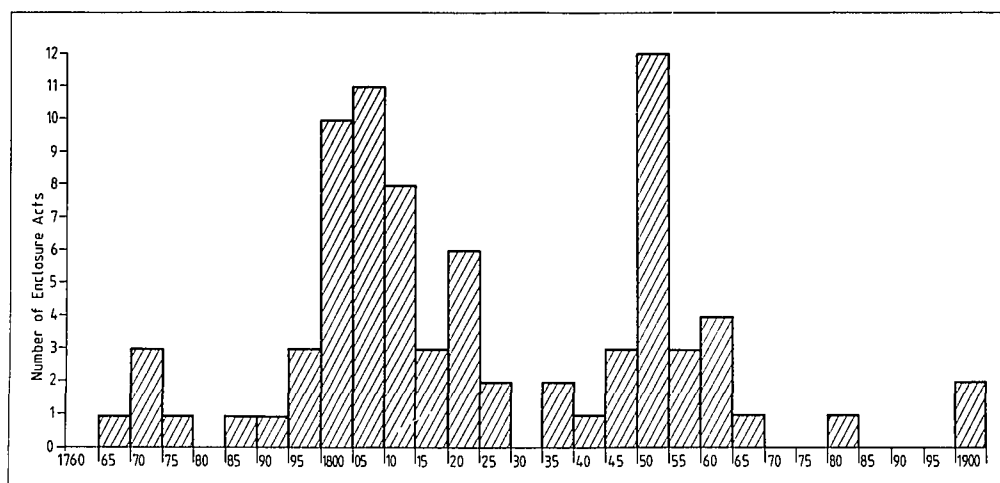


FIGURE 2
Time Profile of Surrey Enclosure Acts

Committee of 1836 he stated, 'I am restrained from going on in my improvements in consequence of the low price of agricultural produce, or I should have gone much further'.⁸ At Effingham enclosure took only one year, partly because six people accounted for most of the open-field enclosed, whereas the Acts for Kingston and Frimley were subject to delays of thirty and twenty-five years respectively. The distribution of open-field arable at 1800 represented an evaluation of land-use potential made at an early date; in most cases it was the better quality land in a parish which had been appropriated to these uses. The success of enclosure, which made for more efficient use of these valuable soils, was almost assured. This was in marked contrast to the enclosure of common and heathland. Very often these areas included the poorer lands of their respective parishes. It might be expected that enclosure would have not been attempted in such areas. Whilst the damp oakwood commons of the clay with flints which caps the North Downs have remained unenclosed to this day, in the west and south-west of Surrey attempts were made to tame the extensive heathlands developed on the Lower Greensand and Bagshot areas (Fig 2). Many of the Enclosure Acts for these areas

applied to very large tracts of country, and enclosure and land improvement were not synonymous. By no means all of this land was destined for tillage, for land use potential was on occasion taken into account. William Keen, a Godalming land agent, was clearly aware of the limitations of the Greensand heaths, for he considered that 'Some would make very good arable land and some very good meadow land, and there might be some good water meadow land, and some good pasture, a great portion of it is only fit for plantations.'⁹ The land which had already been enclosed by an Act of 1811 was described in similar terms. The poorer soils had been planted with softwoods which were yielding timber by 1844. Keen distinguished between 'black sandy common' dominated by heather and 'ferny common' which had greater agricultural value, the bracken probably being an indication of a less acid soil.¹⁰ The value of land affected by any one Enclosure Act reflected contrasts in its potential. When a part of the newly enclosed land belonging to the Ware Estate at Tilford was sold to offset the costs of enclosure the agent recorded that

⁸ BPP, 1836, VIII, Q846.

⁹ BPP, 1844, V, Q690.

¹⁰ *Ibid.*

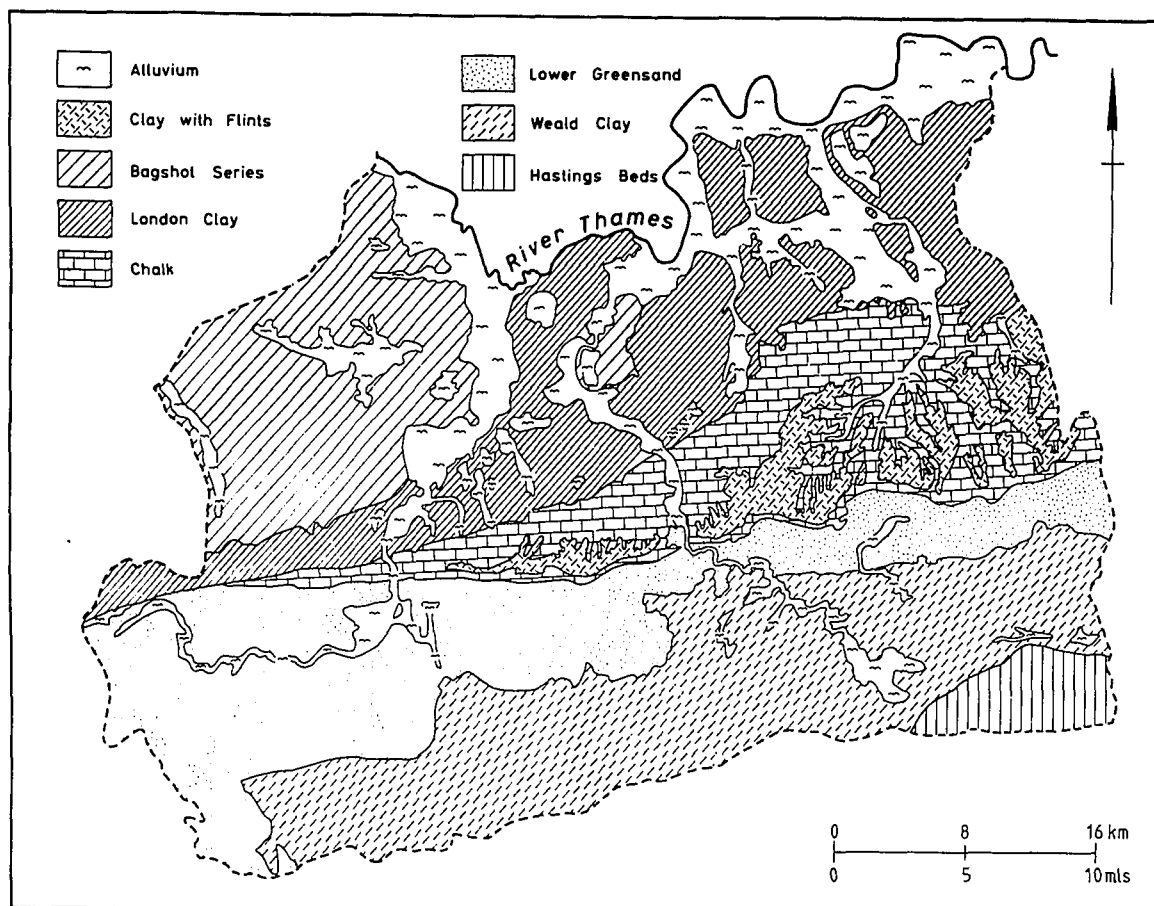


FIGURE 3
Surrey — Simplified Geology

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'the lots near Abbots pond were sold for less than £8 an acre, three lots next to it, not such good land for £3 an acre'.¹¹

The Weald Clay, with few areas of common or waste and no open field, was only affected through the enclosure of some of the meadow which had been held in common and the roadside wastes. The motive for enclosure was to make greater use of areas spasmodically grazed and to more efficiently manage the meadows which were subject to over-intensive use. In a district where fodder was in short supply both types of enclosure constituted a more efficient use

of the land resources. Many small parcels of waste in several places were eliminated under the umbrella of one Act; for example an award of 1854 applied to 592 acres of common and waste in seven locations, mostly roadside strips in the parishes of Betchworth, Leigh and Charlwood. Colonel Goulbourn of Betchworth was concerned that roadside commons on the Weald clay were unenclosed and under-used. During investigations to ascertain who had rights to this land Goulbourn's solicitor wrote:

... with regard to enclosures, the question is what is waste, and what rights the Lord or copyholders have on it, if there be a roadside slip the assumption is that

¹¹SRO Acc 705, Ware Estate Records.

the holder of the enclosed land is entitled to it and in fact to the land on his side of the middle of the road. It is said that in bad weather, when the roads were impassable you might travel by the sides. The roads being now made good, owners of adjoining land whenever they can enclose up to the roadway.¹²

Not that enclosures of this kind, involving very small acreages, were always the subject of Enclosure Acts. In some instances enclosure was arranged between tenant or landowner and the Lord of the Manor. At Ockham a tenant wrote to the Lord of the Manor,

I am cutting down the old hedge which is past mending and propose planting a fresh hedge so as to take in this waste.¹³

These instances afford evidence of some kind of land assessment prior to the presentation of a Bill to Parliament, but the examination of the subsequent use to which enclosed land was put suggests that evaluation also followed enclosure and that reappraisals of land potential were made subsequently when changed economic conditions or improved accessibility might give a new value to land. The heaths of the west and south-west included some of the most marginal land in the county although paradoxically they occurred within the most advanced agricultural district in terms of both the integration of stock and crop and the application of farming methods designed to increase productivity. The considerable though by no means always successful efforts made to improve the poorer lands might be related to a concentration of improving landlords and tenants in these districts. The Award for Windlesham was made in 1814; fifty years later a few nursery grounds occupying a small acreage and some coniferous plantations were the only signs of improvement. A relatively small proportion of the 4000 acres described in the Award showed evidence of any change in land-use. Most of the vegetation was heath and

scattered conifers growing within a landscape of enclosure fields, and was probably unchanged since it was described by the Board of Agriculture reporters at the beginning of the century. Although Lord Onslow bemoaned the large acreage of waste prior to enclosure,

you may well suppose it to be a neglected manor when the waste is so extensive,

the costs of effectively improving the land were high.¹⁴ Very often paring and burning and trenching to break up the iron pan commonly found at a depth of about twenty inches was necessary if arable crops were to be grown. The land had then to be heavily dressed with lime and manure and a preparatory crop of clover grown and ploughed in. After the heavy capital investment that all of this involved it was not certain that returns would be high enough to justify the outlay, except in a few favoured locations or during periods of exceptionally high prices. At the turn of the century the latter condition was met; Brayley, noting the successes in reclamation in the Bagshot region, ascribes them to the application of stable dung from Bagshot, which lay on the heavily used coach route from London to the south-west.¹⁵ Conditions may have seemed ripe for more extensive attempts at improvement through Parliamentary Enclosure. However, a complex mesh of changes called for less optimism and a more selective approach to land improvement. William Cobbett, admittedly a somewhat biased observer, saw at first hand the attempts to reclaim the western heaths; writing at a time when agricultural prices were depressed, he considered that the investment in their improvement was

the misapplied capital which should be concentrating on the good lands.¹⁶

¹² SRO, Acc 319, Goulbourn IV/6, 14/1.

¹³ SRO, Acc 317, Box 45 (viii).

¹⁴ SRO, 'Act for Inclosing lands in the Parish of Windlesham (and related papers)'.

¹⁵ W Brayley, *A History of Surrey*, 1841.

¹⁶ W Cobbett, *Rural Rides*, 1830.

After the opening of the London and Southampton railway in 1838, the cheap, readily available supply of stable dung became an increasingly rare commodity as stage coach traffic rapidly diminished, but whilst the railway made reclamation more costly it also brought markets for agricultural produce within easy reach. The nursery and market gardens which developed in this region after 1840 demonstrate how the potential of an area can be changed in response to altered economic and geographical circumstances. The light sandy soils were well suited to the production of market garden crops, especially early carrots, peas, and nursery products such as azaleas, rhododendrons and other 'American plants'. Before the development of the railway this district was too remote to produce these crops; improved communications brought London nearer, allowing it to exert a greater economic influence than had hitherto been possible. Be that as it may the landscape effects of these developments were negligible since these activities were carried on in small units. Brayley mentions an 'extensive nursery for American plants, at Woking which had been enclosed from bog and heath', but this was only 120 acres in area.¹⁷

In the 1820s one could deem most attempts at improvement in this part of Surrey failures, but by 1870, this judgement would have to be qualified. In the south-west the acreage of the Ware Estate at Tilford on the Lower Greensand was doubled as a result of an allotment made by the Tilford Enclosure Award. The Agent was well aware of the varying potential of the land and in recommending that parts of it could be profitably used for either cultivation, grass or coniferous plantation he was careful to say,

having laid before you this opinion I must add that I may be mistaken the land may disappoint us.¹⁸

¹⁷ Brayley, *op cit.*

¹⁸ SRO, Acc 705, Ware Estate Records.

Several methods were being used to reclaim the newly enclosed land; deep ploughing, double trenching with or without burning the turf, first beeking then burning the turf before double ploughing so that the first furrow was buried beneath the second. The costs of these methods were from £3 10s to £6 an acre. Whilst the larger part of the allotment was developed as part of the home farm, the remainder was allocated to the estate farms, the tenants paying a low rent to cover the cost of enclosure and fencing for the first few years, after which the rents were increased, thus recognizing that the tenant would expend some capital on improvement. Considerable tracts of the lightest land were planted with trees; in 1851-2 alone, 150,000 Scotch fir and 50,000 larch were sown. By 1860 the Agent could write:

There is a considerable extent of the enclosed common now in plantations for future value which yields little or no income, but on the other hand there are some plantations yielding poles for sale . . . it is probable that this part of the estate will be made to balance.¹⁹

For the arable land, sheep were not surprisingly seen as the best means of improvement allied to the production of root crops. The enthusiastic Agent wrote:

I repeat the old text all the sheep you can find and if you ask what this is I reply as the sailor who first asked for all the tobacco in the world and on being asked, what more? only said, I ask a little more tobacco, so say I a few more sheep if possible.²⁰

By the end of the century the judicious investment of capital had resulted in the integration of the enclosed common with the rest of the estate.

The large number of variables operating in time and space would call in question generalizations made about the success or failure of enclosure. The Report of the Select Committee of 1844 records that land enclosed at Godalming had doubled in

¹⁹ *Ibid.*

²⁰ *Ibid.*

value²¹ but it is certain that this was not always the case. Harvey Keen in his evidence to the same Committee, when pressed, admitted that he was

afraid that a great deal of land already enclosed does not pay for the cultivation of it.²²

Nine years later Henry Evershed noted that 100 acres of Bradley Common, Godalming was then being reclaimed, but he expressed doubt as to whether even the larch and Scotch fir being planted would survive.²³

For the promoters of enclosure in Surrey, proximity to London was generally of less significance than variations in land quality and the movements of season and price. However, in the district bordering the urban area, the growth of the metropolis had a more profound effect. Prior to enclosure the commons were heavily utilized. Thus gravels were dug to repair the heavily used roads which converged in North Surrey en route for the Thames bridges. Bakers and others cut timber for fuel and the cow keepers pastured their animals on the limited amount of common land available. Soon after Kennington Common was opened in May, it was poached and overgrazed to such an extent that it was of no further use until autumn.²⁴ Battersea and Clapham commons drew a most unusual comment from those staunch advocates of enclosure, the Board of Agriculture reporters, who considered them to be as productive as if they were enclosed.²⁵ These often poorly drained clayland commons were not always immediately attractive to the developer; easy access to London was evidently not enough. Two new roads leading to Blackfriars Bridge were developed following an Act of 1769; they intersected in St George's Fields, an area of swampy common where some of London's street sweepings were deposited. They were not developed for building until

1810 when an Act to enclose and drain them was passed.²⁶

St George's Fields are fields no more
The trowel supersedes the plough;
Swamps, huge and inundate of yore,
Are changed to civic villas now.²⁷

Similarly, nearby Walworth Common had been enclosed in 1770 and vested in Trustees for the Poor who were empowered to let it on ninety-nine-year building leases. Most of the expected income was to go to poor relief. In fact little building took place here until after 1800, because of the land's liability to flooding. Whilst more suitable areas were available the commons remained as agricultural outliers amongst suburban development. This was also the case with Stockwell Green which was enclosed in 1814 but it was not until 1874 that proposals were made to build upon it. By this time the movement to preserve open space had been developing and an attempt was made to return the land to its former 'common' status. This venture in conservation failed because of a legal technicality and a year later three-storey terrace dwellings were being constructed.

The awareness of the value of land in the form of open space as an amenity for the inhabitants of new suburbia had been developing for some years. As early as 1814 the Egham Enclosure Act had provided a green,

open and uninclosed for the pleasure of the inhabitants and the adornment of their residences on the said green in such a manner as the commoners shall think fit.²⁸

A little later, in 1835, a committee of residents of the then fashionable and growing suburb of Clapham obtained the leases of all the manorial rights to Clapham Common. They drained it, improved it and made the common into a public park.²⁹

²¹ BPP, 1844, V, Q668.

²² *Ibid.*

²³ H Evershed, 'On the Farming of Surrey', *JRASE*, XIV, 1853.

²⁴ W James and J Malcolm, *A General view of the Agriculture of Surrey*, 1794.

²⁵ James and Malcolm, *op cit.*

²⁶ Great Britain, Laws, Statutes, etc, Local Act, 49 Geo III, ch 183.

²⁷ H and J Smith, *The Spread of London*, 1813.

²⁸ Great Britain, Laws, Statutes, etc, Egham Enclosure Act, 1814, 54, Geo III, ch 153.

²⁹ E Malden, *The Victoria County History of Surrey*, IV, 1912.

These were the forerunners of the main phase of common preservations in the 1860s, which found expression in the 'Commons Open Spaces and Footpaths Preservation Society' of 1865, the principal body behind the Metropolitan Commons Acts of 1866 and 1869, which gave some protection to the commons within the Metropolitan Police District.³⁰ Conflicts of interest between those who saw commons as amenities and others who saw them as commercial assets occurred before and after the Metropolitan Commons Acts. The Vestry Minute Books for Tooting in 1863 record the setting up of a committee,

to safeguard the rights of the parish in reference to the proposed enclosure of the common by the Lord of the Manor.³¹

The common was subsequently preserved, as was Wandsworth Common, which was vested in the hands of conservators.³² In similar vein the Enclosure Act for Rush Common stipulated that

no buildings or erections above the surface of the earth be erected upon Rush common within 150 feet of the London to Croydon turnpike.³³

This common consisted of a narrow strip of land which ran the length of Brixton Hill. Although enclosed, the open character of the land was preserved and the building line still remains at the stipulated distance from the roadway. The most notable instance of conflict over the use of common land concerned Wimbledon and Putney commons, which today constitute the largest public open space in South London. In 1864,

Lord Spencer, Lord of the Manors of Battersea and Wimbledon, attempted to enclose the land, but the local residents formed a committee to oppose the plan and the Bill was subsequently withdrawn. Determined to obtain some income from the commons, Lord Spencer opened a brickfield, excavated for gravels and leased a part of the land for use as a sewage farm. Finally the local residents began moves which culminated in the Wimbledon and Putney commons Act of 1871, which preserved the commons for public use in the care of conservators.³⁴

The bulk of the land enclosed in nineteenth-century Surrey was common or heath; land which, it might be argued, earlier generations had placed beyond the limits of cultivation. The nineteenth century brought new perceptions of land value which were expressed in attempts to enclose some of this land. The varying degrees of success which followed Parliamentary Enclosure were testimony to the accuracy of these perceptions and to the vagaries of season and price, the backcloth against which the protagonists of enclosure worked. Nearer to London earlier assessments of land quality were sometimes confirmed by the reluctance of developers to build upon the poorly drained commons. The growth of an awareness of the amenity value of open space started a process of conservation which helped to produce the character of the county today. Although close to London, Surrey still contains 26,000 acres of preserved 'wildscape'.³⁵

³⁰ Great Britain, Laws, Statutes, etc., Metropolitan Commons Acts, 1866 and 1869, 29 and 30 Vict, ch 122; 32 and 33 Vict, ch 107.

³¹ W E Morden, *A History of Tooting Graveney*, 1897.

³² G W R Green, *The Story of Wandsworth and Putney*, 1925.

³³ LCC Survey of London, *Parish of St Mary Lambeth*, XXV, 1951.

³⁴ J D Casswell, *How Wimbledon and Putney Commons were Saved*, no date but c1890. Minet Library, Papers in connection with the proposed enclosure of Wimbledon Commons. Green, *op cit*.

³⁵ W G Hoskins and L D Stamp, *The Common Lands of England and Wales*, 1963.

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