



MODERN HEDGES IN CORNWALL

(1840 – present day)

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Enclosure after 1845 / tithe maps / miners' smallholdings / mechanisation / break-up of landed estates / inter-war years / second world war / prisoners-of-war / post-war controls and subsidies / straying animals / Commons Registration Act 1965 / loss of the commons ? / hedge removal / today / money from the government / the future.

The Inclosure Act of 1845 enabled landowners to enclose land without having to go to Parliament. For this the Agricultural Land Commission was set up, the fore-runner of MAFF and Defra. The act authorised the owners of two-thirds of the land to get the land enclosed. Local commissioners, supposedly independent but usually other landowners, carried out the legal enclosure. Again enclosure moved inexorably forward and, between 1845 and 1869, over half-a-million acres passed through the hands of the enclosure commission.

Commissioners appointed under the Act authorised over half of the formal enclosures in Cornwall. Claimants to commoners' rights were invited to send in written statements of claim by a date appointed. Claims were disallowed where villagers did not have the papers needed to establish their ownership, as must usually have been the case when they could not read or write and had no money to pay for these services. During the 19th century many commons and open-field systems disappeared from the records, to reappear at some later date as enclosed fields. Awards were often allowed to legalise earlier illegal encroachment by landowners on common land. Any encroachment made earlier than a specified time limit (usually 21 years but up to 40 years on odd occasions) became the property of the encroacher, anything more recent was still, for the time being, part of the common.

The acreages mentioned in the enclosures were usually inaccurate, sometimes grossly so. This was further complicated when land was exchanged as part of the deal or when some of the common was actually excluded from enclosure at that time. Usually the commissioners tried to follow the already existing boundaries displayed in the open-fields, allocating to a villager a group of strips in each field. By this means they avoided cutting across the ancient layout of the land for cultivation, which had been designed to take advantage of natural features. This explains some of the irregularity and seeming inconvenience of the layout of farms today. Other irregularities are due to the subsequent buying and selling of fields. Straight sides to heaths are usually the result of partial enclosure of the once-larger heathland. Some furze crofts have no origin in moorland, being specifically created to provide cut furze for feeding crushed to horses in winter. The enclosure commissioners awards often included details of roads serving the land to be enclosed. Some of these were the old roads and paths giving access to the land, others were new ones needed for the new field

layouts. The old ones tend to be twisting and turning round what were obviously old furlong ends or prehistoric hedge lines, the new ones running straight from point to point.

Not all awards have maps and where they are included, they are not always helpful. Enclosure documents prior to 1845 may be consulted at the Cornwall County Records Office in Old County Hall, Truro, or in the Public Record Office in Chancery Lane, London. Some have remained in private hands. Awards after 1845 are probably at the Public Records Office, Kew.

ENCLOSURE AFTER 1845

The post-1845 awards usually contain a dated statement that 'the consent in writing to the enclosure and establishment aforesaid was duly given at or shortly after the said Public Meeting under the hands of more than two-thirds in number and value of the persons seized, professed or interested pursuant to Notice in writing for that purpose.' Notices of 14 days on an outer door of Churches and Chapels and in local newspapers (10 days) were also referred to.

An example of an award in 1854 under the new Act was in the award relating to 'Common Towans', being land northwards from Phillack Church to the sea. Local hearsay has it that the sole notice was purposely put up so inconspicuously in the Church porch that it was not seen. This is in keeping with the details of the Award which gave to Canon Hocking (the local vicar and landowner) 45 acres, the Cornish Copper Company (via Sandys, Carne & Vivian) 25 acres, Sir Charles Lemon (a local industrialist) 12 acres, H. Stephens Esq. 5 acres, Wm. Arthur Esq. 2 acres and 6 others totalling 15 acres between them. These towans served the ancient churchtown of Phillack and it is clear that the award ignored the rights of common held by individual villagers in Phillack. In 1855, the court refused the commoners on Rose Craddock Moor, St Cleer, their rights to cut turf because they had no deeds for their cottages proving their rights, even though the court accepted that they had been cutting turf on that common for a great many years.

Between 1856 and 1880, seventeen enclosures were authorised in Cornwall under the General Acts of 1845 (et seq.): Egloskerry, Tregare and Rudd Downs, and Tremeer - 665 acres; St Stephens by Launceston - 217 acres; St Ive Down - 237 acres; Embla Common, Towednack - 35 acres; Engollan Common, St Eval - 121 acres; Penhergeret Wood, St Ive - 70 acres; Calstock - 1050 acres; Tresparrett Down, St Juliot - 360 acres; Callington - 575 acres; Langdon Moor, Boyton - 64 acres; Lambourne Common, Perranzabuloe - 254 acres; Reperry Down, Lanivet - 30 acres; Beeny and Gunwenmap, St Juliot - 428 acres; Bokiddick Down, Lanivet - 90 acres; Pollards Down, St Pinnock - 106 acres; Redmoor and Golberdon Commons, Southhill - 347 acres (divided amongst 42 different owners); Lizard Common, Landewednack - 280 acres.

For the Lizard Common, which ran between Lizard village and Kynance Cove, it seems that discussions had first taken place some 40 years earlier but were delayed, partly because of inaction by one of the solicitors for 7 years despite repeated letters from his client, and partly because one of the parties objected to paying for a road to Kynance as part of the settlement. Lord Falmouth, Lord Robartes, Mr Hawkins (of Trewithen) and Miss Lyle (in ownership shares of 50/199ths, 35/199ths, 59/199ths and 55/199ths, ie they owned it all) described themselves as the 'great lords'. They described five 'small lords' as encroachers on to the common. Five other local farmers who claimed grazing rights were objected to by the great lords, who also seem to have bought off the small lords by agreeing to their encroachments (but no extra) and paying their part of the award expenses. Eighty acres of Lizard Downs were given to the National Trust in 1935 by the then owners, but what happened to the common rights after that is not readily evident.

Other enclosures were supposedly by private agreement:- Cardinham, Garras Common in Mawgan-in-Meneage (discussed below), Trevanson in Wadebridge, Brane in Sancreed, Bollowall in St Just-in-Penwith and Escalls in Sennen. Sometimes, private enclosures were only legal without a special Act if the land was 'open arable land', that is stitches; but this was often ignored when only common land was involved. Not all the private enclosures have been recorded, and many may have been illegal. Only an archaeological note records the enclosure of part of Bosavern common, St Just-in-Penwith, in about 1838.

In 1840, Lyle of Bonython, Mullion began to reclaim 200 acres (80 ha) of Goonhilly Downs. Most of this reclamation was done by ox-drawn ploughs, and for several years afterwards the improved crofts were pared and burnt after being drained and the rocks removed. At the same time Sir Richard Vyvyan, owner of the Treloarwarren estate, began enclosing and bringing Garras Common into cultivation. John Boaden, a Lizard farmer and tenant of Treloarwarren, wrote that 'Leys of two or three years old were broken for wheat. Arishes were ploughed in the fall, mostly for barley. After the voars had been wheeled in in the spring, it was ploughed across called threarting; then when the land would work it was got down; then the piles of manure were wheeled out, three hundred barrows being a day's work; these were scattered; then the land was again ploughed - called ploughing for barley - then the crop was tilled ... My father used to begin his crop rotation by preparing a ley field for potatoes with a little turnips ... This after went to wheat and then barley, and then left to ley [grass]. Potatoes/roots was used as a cleaning crop after ley. In 1845 it was stated that a pair of horses could do a third more work in a day than four oxen and were cheaper to keep than a double ox-team. Horses were needed to draw the mowing and reaping machines that came into fairly general use after 1850. The horse, too, was far better than the ox for carrying produce to market. ... About 1830 ... the furze was carried on horses' backs to the ricks ... We always had ours from Treloskan crofts, mostly cultivated now. The poor would pick any fuel they could from the hedges and also, in summer, the dried droppings of the cattle, which they called *picking glows*. I remember to have seen women weeding corn with reap hooks; this used to be the common tool for the purpose. ... Other farmers in the Meneage and elsewhere were pulling down hedges as they gradually turned from arable to cattle-farming, for bigger fields were much more convenient in the management of large flocks and herds. ... Several Cornish farmers had already adopted a six-year rotation in which half the cultivated land was under leys, instead of the four-year rotation with only one year in grass.' The corn was fed to the stock, instead of being sold.

Village commons were still being enclosed at the end of the century. It was in 1893 that Viverdon Down, south of Callington by the A388, the large triangle of land between Amy Tree, Mossland Green and Dunstan Quoit was reclaimed. Earlier this may have been part of the deer park at St Mellon in 1583. There was enough stone picked off the land to make all the hedges which were specified to have a base of not less than 6 ft (2m), a height of stonework 4ft 6in (1.4m) with the top width not less than 2ft 9in (0.8m) finished off with capping of earth and planted with a mixture of Beech and Thorn. A new road, 27ft (7m) wide was also made with picked stones. It is recorded by Billing (*The Longest Furrow in Cornwall, 1976*) that "at intervals of 50 yards a hole was to be left in the foot of the hedge, suitably capped with large stones to allow hares to pass from field to field as it was feared they would be unable to penetrate the thick growth on the hedge tops. It may also have been done to allow the hares a sporting chance at hare-coursing time, as the holes were not large enough to allow the greyhounds to pass through." This common had belonged to the hamlet of Bealbury which, although carrying an English name, is probably of prehistoric origin, judging from the hedges on the south side of the hamlet.

The Headland Hotel at Newquay was built on common land in 1898, attempts the previous year being foiled by the commoners who destroyed the Cornish hedge which was being built to

enclose the land. Only by bringing in 200 unemployed miners from elsewhere for protection was the hotel built. Its opening in 1897 attracted two thousand local people protesting at the enclosure of the common.

The 19th century saw many changes to the Cornish countryside, with the mining industry predominating over all other interests. Historically an important milestone in the story of hedges was the drawing up of the parish tithe maps in the 1840s and this, in many different ways, heralded the coming of modern farming. The way that tithe payments had been made by the parishioners to the vicar had not kept up with the changing times and at last Parliament decided to do something about it, including recording every hedge in Britain on a map. From then on, any new hedge was categorised as being modern.

TITHE MAPS

It is probably no coincidence that the passing of the 1845 Act to simplify enclosure followed the drawing-up of the Tithe Maps. The national survey which produced these maps and schedules in about 1843, was important in the identification of hedges in Cornwall and elsewhere, and was the basis of the very necessary reorganisation and rationalisation of the mediæval system of assessing tithes. It also showed that on average only one-third of the tithes paid by farmers in the parishes was received by the local vicar, the rest going to non-churchmen. For the first time an accurate and detailed mapping system showed every individual hedge. This survey produced the Tithe Maps, showing every hedge which existed in Cornwall in about 1843. They may be seen and photographed at the Cornwall County Records Office, where they are shortly to be, or recently have been, computerised and available on line. All hedges not shown on the maps are categorised as being modern. With accurate maps being published by the government's ordnance survey department in 1853 and 1893, and more frequently since, all modern hedges can be dated to within a few years.

Most of the changes in farming and rural life from 1700 to 1880 were because of the demand for food by the ever-increasing urban community, which more than trebled in Cornwall during that time. On many estates and farms the homesteads were rebuilt between 1840 and 1880, while large sums were laid out on hedges, land drainage, woodlands and in other rural improvements including country mansions, churches and schools.

In Cornwall, in the twenty years between 1869 and 1889, some 40,000 acres (16,000 ha) were enclosed by landowners from common land, most of it being put down to pasture for grazing, so needing to be hedged or fenced.

This farming prosperity came to an end around 1880 following the combination of very poor harvests in Britain, due to weather, and three years of good harvests in North America. Soon other New World countries including New Zealand, Australia and Argentina were sending vast quantities of grain and animal products to Europe.

As we get nearer the present time, the pace of modernisation accelerates. Life moved inexorably towards today's frenetic dash, and the modern hedges from this time onward tended to be built less substantially. One interesting point is that the poorer times for farming from 1870 resulted in a vast increase in the number of trees in the hedges. Hedges were hand-trimmed on the sides but there was seldom enough spare labour to cut the topgrowth. Another factor was the importation of cheap timber from overseas, but the main reason was the change from burning wood, furze and peat to the use of coal, as the open hearth and the commoner's way of life gave way to the cast-iron fire-grate and kitchen 'slab', or stove, and the industrial wage. As a result the regularly coppiced hedgetop wood was more often left to grow.

MINERS' SMALLHOLDINGS

There are many other examples around the mining areas of Cornwall where the name shows some of the recent history of farms, smallholdings, or individual houses. Whether the miner made his smallholding while employed locally, or returned from 'working away', more often than not, he broke in moorland or croft and hedged around the new fields. A letter to the editor of the West Briton in 1817 describes one such smallholding: 'Peter Skewes resides at Blackwater in the parish of St Agnes. He holds a small tenement consisting of about $1\frac{3}{4}$ acres of land, the soil of which is naturally sterile. This is divided into two nearly equal plots. One of these he plants with potatoes and the other wheat. By proper attention to the cultivation he has an average of 80 bushels of potatoes and 9 of wheat each season. He keeps two donkeys which graze on the neighbouring common during the summer and are partly fed with the straw of his wheat in the winter. With these he carries coals, etc., for his neighbours and collects manure [domestic sewerage] for his ground. The refuse potatoes etc. enable him to feed a pig which, with fish purchased in the season, affords all that is required for food, in addition to the produce of his fields and little garden. In this way has Peter Skewes passed the last seven years and supported a wife and a family, now consisting of six children, not only without parish aid, but with a degree of comfort and independence of which there are not many examples in his situation in life. He never wants the means of satisfying any demands that are made on him, whether for parochial assessment or for supplying the wants of his family.' The letter-writer, in his comment on the comfort of the smallholder and his family, implies that there were many worse off. Another reporter in St Agnes, said: 'There are a great many old men who are not working living in the parish. They take little tenements and work them after they have trained up their children to work at the mines. Whilst they are still young they take a little farm, perhaps at a time when they are unable to take work [underground], and they build a cottage and take in a few fields, and then they have that to fall back on. They get a cow or two and a horse, and pick up a living in many ways when they cease to be miners after forty.' While this sounds a cosy arrangement, the writer fails to point out that it was even cosier for the landlord, who had got his farm built and enclosed for nothing and thereafter charged the miner a rent for it.

With the wide-spread emigration from the 1840s onward, most of the land in the neighbourhood of the derelict mines, which was once under cultivation by the miners, went back into croft, and hundreds of cottages fell into decay, repeating the Bronze Age depopulation caused by the climate change. Farming had become more efficient but farm incomes had not increased. In 1910, the supply of milk to Bodmin Asylum cost one shilling a gallon, the same price as nearly a century before. Economies made at the Asylum in 1912 included the decision that henceforth only five rows of hobnails instead of seven should be put in the boots made for the patients.

Most of the Cornish exiled abroad fetched their families out there once they had become established. Many had their health broken in the South African mines and just came back home to die. Others, and there were plenty of them, saved up enough money and came home while they still had good health. The money that they brought back with them was the salvation of many small farms, especially those that were on the poorer ground and were less profitable, and prevented them from becoming run-down and eventually, as happened to many, abandoned. Some retired, lived on their savings and made no attempt at profitable farming. Others either bought working farms or reclaimed enough croft land to make a decent farm, such as the Green family who emigrated from Bosulow, in West Penwith, to Dakota, USA, and returned in 1904 with enough capital, and good health, to convert from open moorland and build the farm they called, appropriately, Dakota. Their stone hedges are easily seen from the footpath to Men-an-Tol. Perhaps the majority of smallholdings

were broken in from common land by working miners, who were often unemployed when the tin or copper price was low, and needed their own produce to tide them over bad times.

MECHANISATION

By 1880 Cornish farmers were carrying nearly twice as many cattle on their enclosed land as the average for England and Wales; there were eight sheep for every seven elsewhere and three pigs to two. The extra fertility was due to sea sand, seaweed and by-products of fish. The breeds of livestock had improved, the native black cattle were now only a memory. Some of the old practices still remained. In 1873 Worth noted that 'there are men still living in Cornwall who in their younger days used to cut their plough shares from the hedges.' The iron-framed plough was in general use only after 1850, and did not completely displace the wooden framed plough for many years. A photograph exists, appearing no older than 150 years, of a team of five oxen pulling a wooden plough in West Cornwall.

By 1850 the threshing machine had reduced the labour needed for threshing corn to less than one-tenth of what it had been with flails. In 1852, the reaping machine was introduced into Cornwall, and by 1870 was in general use, reducing the labour in hay and corn fields by more than half. There were problems with taking it through gateways and, rather than widen the gateway, the machine was made to be taken to bits or to fold up. The reaper, because of its higher operating speed, had to be drawn by horses, and not oxen.

By this time, mechanisation in farming had started a more profound change in field sizes and shapes than at any time since the plough was introduced in prehistoric times. Soon Messrs John Fowler, whose steam traction engines are seen at steam rallies today, was in full production, and the wealthier farmers were replacing their ox and horse ploughing teams by buying or hiring a steam tackle set. It became commonplace in Cornwall to see a steam traction engine standing stationary at each end of a field and, by wire cables, pulling the plough backwards and forwards between them, moving along the headland as the work progressed. The main handicap to steam cultivation, which ploughed six or eight furrows, was the layout of fields, and engine drivers were faced with the difficulties created by irregular field boundaries and small enclosures. Usually a few gateposts were knocked over as the steam engines progressed from field to field. Even so, in the flatter areas of Cornwall, steam ploughing probably lasted for seventy years, alongside horse-ploughing, before being superseded by tractors.

There is no doubt that many of our fields were given new shapes, with rebuilt hedges, to allow economic use of the steam ploughs. William Borlase, writing in 1872, records some of the finds discovered in the removal of hedges. In 1861 a cinery urn was found at Duloe, where '... a portion of this hedge, as often is the case, was in reality a cairn or barrow ...'. There are likely to be some written records of steam ploughing, still to be discovered, which will tell us the dates and reasoning for some of our modern hedges. This would be aided by the surveys between 1853 and 1893 of the whole of England and Wales to the scales of 6 inches to the mile and 25 inches to the mile. (These maps are available at the County Records Office.) Harvesting of hay and corn was transformed by mowing machines, which were introduced at the Royal Cornwall Show in 1860. Even silage, the scourge of meadow wildlife today, was recorded as being encouraged in 1888.

Between 1871 and 1901, the recession in the Cornish mining industry caused the wheat acreage to be halved and the number of farmers and farm labourers was reduced by a quarter. It was from those times that the neglect of hedges started, with the encouragement of barbed wire. Joseph Glidden and Phineas Vaughan, in Illinois, patented the first machine to make barbed wire in 1874; within 25 years the USA annual production was a quarter of a million tons, and rapidly increasing.

Any neglected hedge could be made stockproof cheaply and in a very short time by using barbed wire. A temporary fence, put up when the farmer was busy with urgent field work, was very easily left in place, to the horror of the local fox-hunting fraternity. At first hedge maintenance was delayed, hoping for better times, but eventually a lower standard was forced on the farmers. In 1896 a landowner at Gwavas Lane was taken to court for not trimming his hedge next to the lane.

BREAK-UP OF LANDED ESTATES

Landlords were suspicious of many of these innovations, quite rightly so in some instances, and tied their tenants tightly as to their style of farming, including care of hedges. For the first time, legislation was passed compelling landlords to pay outgoing tenants for improvements that they had made during their tenancy, a timely removal of a relic of feudal tyranny. Farm rents were not enough to pay for the costs of running large country estates, with big houses and luxury living. It was the start of the break-up of the big estates, including those set up by the mining landlords. By the end of the nineteen thirties, only a few landed estates remained, sometimes much smaller than hitherto. Only one in Cornwall has greatly increased in size since then, that of the National Trust. Landlords reduced the maintenance of their estates. Tenants had good excuse not to look after their hedges, gates and ditches although landlords continued to demand in tenancy agreements that hedges were to be kept in perfect condition. Death duty on land was introduced in 1894 and has resulted in part or all of most estates being sold on the death of each landowner. A recent example of this was the selling off of some of the ancient Trelowarren Estate on the death of Lady Vivian to pay the inheritance tax.

The Hain estate, founded by the Hain shipping company at St Ives, decided to update its seven farmhouses and farm buildings. This was done between the years 1902-1913 but unfortunately each tenant had to find the stone for the new farm-buildings from his hedges and cart it to his farmstead. Even the granite gateposts were taken to be lintels in the new buildings. The result is that today these farms, although in an area with a lot of stone in the fields, have mostly poor hedges of mainly turf and small stones because of the amount of building stone taken from them. The notable exception is Breja where new hedges were recently built by Colin Nankervis, using stone from the fields.

During this period the typical height of new hedges was reduced from about 1.5m to 1.3m. This may be attributed to periods of poor farming profits, less intensive stocking rates or fewer horses in the fields. This trend is to be seen in the lower hedges enclosing former heathland on the perimeter of farms, contrasting with the higher hedges around the ancient homestead. Some of the larger commercially-minded farmers, eager to take opportunities with the new farming technologies, took on bigger farms for themselves.

INTER - WAR YEARS

The economic depressions after the first world war caused widespread misery in farming. Cattle that were sold to the butcher at three years old made less money than they had cost as calves. Some farmers fled their farms, leaving everything behind them, knowing that they owed far more than their assets were worth. Many landlords tried to farm their lands themselves instead of finding tenants, and others offered good fertile farms for no rent, just so that the land should be farmed rather than go to waste. The inland towns in Cornwall continued to decay and the untended countryside got an appearance of being abandoned. Hedges were allowed to grow out a long way into the fields. Estate incomes were insufficient to keep the big houses going and when the landowner died there was

seldom enough accumulated capital to avoid the selling up of the estate, or as in many instances, demolition of the costly-to-maintain big house eg Whiteford at Stoke Climsland.

The widespread social changes brought about by the first world war included many changes in the laws of land ownership, the main Act being the Law of Property Act 1925. Section 194 of the Act made the erection of any fence, or the construction of any work, which prevents or impedes access to common land, unlawful without government consent. This, added to the farming depression, slowed down the widespread enclosure of common land, although it did not halt successful actions by landowners who denied that their land was common. There remained one legal device which has been used for many centuries. When the landowner took possession of a farm with rights over a common that he already owned, the rights ceased because he could not use common rights over himself. Once ceased, they did not automatically restart if he let the land again. This was the theory, anyway, and some have doubts about its legality.

THE SECOND WORLD WAR

The second world war brought food shortages, and farmers again were compelled by a wartime government to increase production. But now there was a difference, for thousands of Fordson standard tractors were brought over from USA, through the U-boat blockade, to help with the feeding of not only the British people but also the legions of American armed servicemen who were in this country. Tractors with caterpillar tracks were owned by the government and were used for the heavy work in ploughing some of the moorland in Cornwall which had not been cultivated since Napoleonic times or even much earlier in prehistoric times. A good example are the few small fields in the moorland south-east of Zennor Quoit which grew potatoes in the war but were so infertile that they were soon allowed to revert to moorland. There are similar fields all round the various areas of downs and moorland in Cornwall. Many of them are characterised by their exceptional infestations of bracken, encouraged by the brief cultivation, which has persisted and continued to spread ever since. This ploughing up of wild-flower meadows was encouraged by any means possible, from posters and advertisements; this example appeared throughout Britain:-

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| <p style="text-align: center;">Plough the Fields Increase Their Yields Plough up your grassland Make every field give a greater yield. You cannot grow guns and planes, but you can grow more food and more root and fodder crops, so releasing ships to carry guns and planes. Make no mistake - ploughing is the key to victory - and the key is in your hands. Plough now!</p> |
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Many pasture fields were ploughed up for the first time since enclosure. Bulldozers were brought in to level out the ancient gurgoes. Farmers who let their hedges grow out into the fields were ordered to get them cut, or be dispossessed. Barbed wire fences were used for the first time by many farmers short of labour, whose workers had been called up into the armed forces. All farmers had to plough a minimum percentage of their land. Those who persisted in refusing to do this had their land taken away from them by the government and it was farmed by someone else. Tenants

who had promised their landlords that they would not plough up flower meadows and pastures were told by government that they must plough them despite their agreements. Cornish farmers forced to plough their old heath pastures recall the result often being, as one put it, "We got about a teaspoonful of wheat between here and that gate [about 400 yards away] and the grazing was never the same again. We'd have done better to have kept our livestock for the war effort." Typically, the government directives made no allowance for regional differences, and often, as in the case of the poor upland pastures that made such fine grazing, failed to connect with reality. A farmer in mid-Wales, putting off the evil moment with the plea of lambing, framed the Ministry letter he received telling him to postpone lambing and plough immediately.

PRISONERS OF WAR

Help came from German and Italian prisoners-of-war who were used for general work on farms. This included making new hedges; one exists bordering the coast road at Tregurrian, Newquay where a small croft was reclaimed during the war. The prisoners-of-war, who were only too glad to get out of their camps into the countryside, were a plentiful source of unskilled labour. They did much useful work in clearing the scrub that had invaded many fields during the inter-war years, and thus exposing the hedges which could then be put into proper repair. Often the trimming of hedge sides during the war was done by the Women's Land Army. German prisoners of war from Bake Camp, near Saltash, were still hedge-trimming in August 1946, fifteen months after the end of the war.

POST - WAR CONTROLS AND SUBSIDIES

Food rationing got tighter after the war, in the late forties and early fifties. Farmers were easily able to sell all their produce, but had to accept the government's controlled prices which were imposed to prevent profiteering. The national emergency and the accompanying propaganda to grow as much food as possible continued unabated. Many of the fields that had been reclaimed during the war continued to be cultivated. Only a few were brought into a regular arable rotation, most were put down to grass for grazing and silage, and Cornish farmers reverted to the old custom of refreshing the grasses by the occasional corn crop. When the author joined the Ministry of Agriculture, Fisheries and Food in 1962, most of these subsidies and controlled prices were still in place. During thirty years his work slowly changed from having to encourage farmers to be efficient by making their fields larger, to persuading farmers to have a greater regard to the environment by keeping their small fields.

Clearance of field hedges became fashionable with farmers who were commercially minded. One calculation has suggested that one-seventh of a typical farm of 100 acres (40 hectares) was occupied by hedgebanks. Those who continued to be traditionally minded resisted the government's encouragement, and kept their small fields, for example Wicca, in Zennor, lost only one short length of hedge during the whole of the 20th century. Modern farm machinery and artificial fertilizers diminished the farmer's toil and reduced his labour expenses. His land was not left idle and its fertility was artificially replaced. The more his tasks were made easier, the more land he was able to farm. Between 1931 and 1949, the number of tractors in Britain increased tenfold and the number of horses halved. Nowadays the working horse is a rarity. The younger men in farming, whether farmers' sons or newcomers, became obsessed with mechanisation. The spring and summer field work of the farm workers, who had always trimmed and repaired the hedges during the winter, was

replaced by tractor cultivations and harvesting. Hedging was thought by the younger men to be slow, dirty and unnecessarily hard work. It became usual for the old men to leave the tractor work to the young, and to go out and do the hedging by themselves. Even those who retired and left the farm used, as some still do, to come back to do the hedging. Gradually, as they got older, they were able to do less and less, so insidiously the general standard of hedges has gone down. Following the old men's death, many farms are left without anyone able to hedge properly. Even the hedging competitions, which were usually held as part of the ploughing matches, were abandoned, the last being held in the 1960s. The Royal Cornwall Gazette, on the 16th October 1913 reported on the ploughing match and hedging contest held at Ruanhighlanes that local Tregony men had won prizes in the Stone Open, Jack & Joan Work, Upright Work and in Casting & Rising Hedge classes.

Hedge trimming by hand with the hook and slasher lapsed, hedges lost their density of growth and were more easily broken through by livestock, encouraging the use of barbed wire to keep the animals in the fields. No longer was the odd fallen stone from the hedge replaced immediately. This deterioration was general, but with many exceptions where the farmers were proud that there was not a single bit of barbed wire on their farm. These were the older ones who had either kept on a farm worker, or had a family large enough to have someone spare to do the hedging. Hidden in Cornwall today will be found some of these gems from the past, doomed to vanish unless the economics of farming acknowledge the high cost of keeping our hedges in good condition.

STRAYING ANIMALS

The commoners could not hedge common land because it never actually belonged to them. The farmers around the common have to hedge to keep the commoners' animals out. It follows that it was legally the farmers' fault if stock got on to their land directly from the common, and subsequently wandered elsewhere, causing damage to a third party. It seems that the extent of the obligation is only to hedge against the animals normally to be expected on the land. Therefore, for example, in *Coaker v Willcocks* 1911, a Dartmoor farmer was not expected to hedge against non-traditional high-jumping Scottish sheep; this court case should be of interest to Bodmin Moor farmers. In *Crow v Wood* (1971), F. had bought land from a common vendor with a right to graze sheep on the moor owned by the vendor, but subject to a duty to keep his own boundary walls up. It was held that with the sale went a right to have hedges on other farms adjoining the moor kept up so that, when his sheep strayed into the farm of another farmer who had bought on the same terms from the common vendor, he had a defence as to trespass.

The law is less clear where animals stray off a common along a road because, firstly it is an offence under the 1980 Highways Act to allow cattle and horses to stray on the highway, and secondly it may be held to be unreasonable for someone to have to fence against animals coming down a road from a common some distance away. But where a common boundary is hedged to meet each side of a road, the highways authority has the power to install a cattle grid, thus making practical sense of the hedges. New owners of houses next to a common are often surprised that the old law about their keeping out the commoners' animals still applies, even if their boundary hedge or fence is of recent origin.

Other portions of the land, which may look like common land, may be owned in shares by the surrounding farmers, the successors to the original extended family. This is where the mediæval landowner failed to grab the land. Legally this land is not common land and so is not in the Commons Register. It is usually owned by the farmers in shares, for example in twelfths with each farmer having a different number of twelfths, and is known as 'undivided land'. Here the usual rule, opposite to the commons rule, applies to the hedges around this land in that the farmers grazing it

must fence or hedge it to keep their animals in.

COMMONS REGISTRATION ACT 1965

The Commons Registration Act 1965 set up the Commons Register in which the owners' and commoners' rights are listed, and this effectively brought to an end many centuries of common land enclosure, most of which had been plain theft from local communities. Enclosure had slowed during the 20th century but was still continuing; for example, the unenclosed area of Bodmin Moor is reported to have halved since 1938, much use being made of wire fencing. The object of the Act was 'to lay a foundation for further legislation to govern the management and improvement of common land.' As a start, the Act gave a time-limit for commoners to register their rights with the County Council, and this was done with the result that for the first time, anyone can look at the register to see who has what rights. One of the ideas was that it was now much easier for commoners with rights to a particular common to form a Commoners Association to manage the land. It was thought at the time that this would include liming and fencing which would improve the grazing, and make enclosure more difficult for the landowner. Since 1965 there has been much more interest in the environment and the emphasis has moved from improvement to traditional management.

Even so the management of commons failed to reform and a case at Bodmin Moor (*Bettison v. Langton*) showed that sometimes common rights could be sold off separately from the farm to which they were attached. In 1987 Mrs Langton, keeping Sina Farm, sold her right of pasturage over Tawna Down, Bodmin to Mr and Mrs Bettison, thus detaching her common rights from the farm with which it was registered. The legality of this sale was tried in Cornwall County Court, in the Court of Appeal and, finally, in the House of Lords who delivered their judgement (*Bettison v Langton*) in 2000. There were five judges and four decided that the sale was legal. Their argument was that, despite plain and unambiguous opinions to the contrary from the Royal Commission and Parliament, there was a legal loophole in the Registration Act which meant that, once a grazing right had been registered for a given headage of livestock, it could be sold away from the farm to which it had been attached. This will in time alter the nature of the use of commons as farmers and livestock dealers buy up common rights. The author's own experience has been that when many common rights have been taken over by a single person, there has been too much temptation to overgraze and to encourage non-traditional activities on the common, often resulting in enclosure with the building of hedges and the erection of fences.

This decision by the House of Lords could affect adversely most of our historic commons. There is a ray of hope. The verdict relates only to rights where the extent of the right has been defined in numbers. While it applies to headage of sheep for grazing, numbers of pigs for pannage, it does not affect the vaguer rights such as to gather furze; unfortunately a presence of these other rights may not actually deter someone wanting to enclose a common. The author is reliably informed that notice has been taken of the very clear and cogent minority judgement by Lord Nicholls, and a law will be passed accordingly. At the year 2000, the ancient common lands still covered about 1.4 million acres nationally, over 4% of the total area of England and Wales.

LOSS OF THE COMMONS ?

Since writing the last paragraph in 2001 (now 2007), there has been a major change in the

government's attitude towards the countryside, promoted by the New Labour party and influenced, but not dictated, by the Common Market authorities in Brussels. Instead of the countryside being farmed to feed the nation, the new ideas mean that farmers must make what profit they can out of farming, not necessarily for food, provided they do not damage the countryside significantly. In the future each common is to be managed by a committee primarily of non-farmers and including people outside the area, most of whom have no knowledge of local conditions. The effect of these new policies will be a change in attitude towards the use of commons. No longer will their use be tied in with and dominated by the bordering farmers. Instead we will see, on most of the smaller commons, a move towards a multi-use function in which the farmers have only a very small part to play. Future alterations in the way the common is used are likely to conflict with their legal obligation to hedge against the common. The long term result is likely, for many, and especially the smaller commons, to be an end of the traditional grazing patterns with a consequent threat to the hedges bounding the common.

HEDGE REMOVAL

The removal of hedges and the enlargement of the fields seemed an obvious way of increasing food supply. Hedge removal was not new and had achieved national comment in the House of Commons Journal in 1792: 'The grubbing up of Hedge Rows is become general, and the Growth of Timber in them is thereby totally destroyed, owing to the great Price given for Corn since the Bounty took place for exporting of Corn and Beer, which gives every Farmer encouragement to grub Hedge Rows up, and convert them into Corn Land.' In 1856 Morton had advised that one-third of the thorn hedges in England should be removed, thus releasing an extra million acres of cultivatable land. During the second world war hedge removal was grant-aided by one-third of its cost under the government's Farm Improvement Scheme in the lowlands and by one-half in the upland areas, in the quest to get enough food for the nation. This was before the hydraulic-mounted cultivation machinery arrived, and farmers had to use trailed equipment behind their horses and tractors which required large turning spaces at each end of the fields.

In the removal of the Cornish hedges, essentially all that the bulldozer did was to move the whole hedge about ten metres from its old position; but in doing so, it broke up the structure of the hedge, making it into a pile of trees, roots, earth and stone. Then the horses, or the standard Fordson tractor which arrived as part of the war-effort from the USA, using chains pulled the trees and bushes clear of the hedge heap for burning. The stones were loaded by hand into carts, or the larger ones on to sledges, and pulled away into the nearest quarry or convenient piece of rough land. Sometimes a hollow in the ground was filled with the stones, then top-soiled over with earth from the hedge heap. Having removed the stones and growth, the rest of the soil was spread to level the field. Sometimes this left a small low ridge which was discernible for many years.

The arrival of the Ferguson tractor, followed soon by other makes, with its rear hydraulic lifting mechanism, made the piling up and burning of the trees and bushes very easy, using a buckrake and transport box. Not long after, in the fifties and sixties, tractors were fitted with front-end loaders. Because of the extra height that these gave, loading and tipping was easier, and by now much of the arduous handwork associated with hedge removal had vanished. The next innovation was the arrival of the Drott, a general name for large tractors fitted with a hydraulic front bucket which was able to load the tree-stumps and large stones. The swing-shovel too made hedge-removal easier, by digging out a trench alongside the hedge, separating the plant material, then putting the hedgebank into it and covering over.

By the 1980s and 90s economic changes slowed hedge removal, and the Hedgerows

Regulations 1997 brought in new legal restrictions. Government policy switched towards the environment and wildlife, resulting in revision of grants and subsidies, and hedges began to be replaced; the latest in the long history in Britain of the swing of the pendulum between hedge removal and hedge building.

TODAY

Farmers until about 1970 made a reasonable living from 35 acres (14 hectares) and 20 cows, while 70 acres provided employment for one or two farm workers. Today a farmer needs at least 100 hectares (250 acres) to make the same living, and cannot afford any workers. One of the casualties of this so-called increased efficiency is that the farmer does not have time to look after his hedges properly. His income is based on the government's assumption that his fields are like those in East Anglia, which actually are perhaps ten times bigger, and that his field boundaries are wire fences or thorn hedgerows without any hedgebank. Many of the commercial farmers in Cornwall are incomers and have no idea of how Cornish hedges should be looked after. Barn-conversions often have a field or two attached to them, used for horses or as a garden or smallholding. These amateur landowners lack knowledge of how to repair and maintain Cornish hedges. Both the commercial and the amateur farmers will employ a hedge trimmer to cut the hedge growth, as this is a relatively small cost. Repairing gaps is a different matter. Lacking the skill themselves and having to get in a contractor, it comes as an unwelcome surprise that even repairing very small gaps may cost upwards of £30 a time, and they have not allowed for this expenditure.

Central and local government pay some money towards Cornish hedge maintenance. Unfortunately these schemes give scant regard to the small size of our fields with the higher proportion of hedge throughout the county. This problem is partly recognised in the Entry Level Environment Scheme used by Defra which "aims to secure widespread environmental benefits" and includes "stone-faced earth banks" as an item. This will secure some grant-aid for those lengths of hedge which the farmer enters into the scheme, but provides no protection for those not entered. The hedges most in need may not be the ones that benefit.

The potential cost of putting right all the gaps in every mile of hedgeline in Cornwall is probably in the region of £3 million every year. Poor workmanship in repairing and building hedges makes this problem worse. Even many of the older farmers, who used to repair their hedges in the traditional manner, are using the tractor bucket to scoop up the fallen hedge material and dump it on top of the hedge in the gap. They freely admit that it goes against their nature to do this, but there is not enough labour available to do the job properly, and there is not enough income from farming today to employ a hedging contractor.

If the need for running repairs is ignored, hedges will gradually deteriorate. On some farms the rabbits will move in and gradually excavate the hedgebanks out into the fields. On other farms livestock will be allowed free access to the hedge, and when the inevitable gaps happen they will not be repaired. In time they get larger and gradually join up. Urban hedges will be damaged by people climbing over them and will be allowed to deteriorate further without repair. The roots of large uncoppiced trees will be allowed to push out the stones, causing a gap which will deteriorate further without repair.

All these instances result in the maintenance, instead of being just the repair of the odd gap or two, requiring that lengths of the whole hedge have to be taken down, the stone and topgrowth sorted from the fill and then the whole hedge rebuilt with extra stone being brought in to make up the deficit. Obviously this is far more expensive than mending gaps as they happen.

MONEY FROM THE GOVERNMENT

The main voluntary scheme for farmers is the *Environmental Stewardship Scheme* (which now includes the *Environmentally Sensitive Area (ESA) Scheme* and the *Countryside Stewardship Scheme*). Its official aims are:- Conserve wildlife (biodiversity) - Maintain and enhance landscape quality and character - Protect the historic environment and natural resources - Promote public access and understanding of the countryside - Natural resource protection (including genetic conservation & flood management). It is in three sections: the *Entry Level Scheme (ELS)*, the *Organic Entry Level Scheme (OELS)* and the *Higher Level Scheme (HLS)*. The ELS looks at 'some of the environmental issues affecting the wider countryside' and gives £30 per hectare annually for selected 'land management options linked with specific environmental features'. The OELS is largely the same as the ELS but gives £60 per hectare for registered organic land, which is more expensive to farm. The HLS gives money for 'more significant benefits in high priority situations and areas'. Agreements under the ELS and OELS are for 5 years and for the HLS 10 years with a 5-year break clause. Broadly, the ELS is for maintaining what is already there; eg. the repair of gaps in Cornish hedges. No eligible farmer is refused for the ELS. The HLS is for doing new or restoring targeted high priority environmental items; eg. the building of new Cornish hedges. Funds for the HLS are limited, and only the better schemes are being accepted.

In the *West Penwith ESA*, about 260 farmers get £85 per hectare annually for carrying on traditional farming methods including keeping all their stockproof hedges in good repair, a very expensive item these days. The fact that the field patterns between St Ives and St Just look now the same as they did 20 years ago is a tribute to the scheme.

Additional money is sometimes available from European Community funds in Brussels, especially where new hedges are being built as part of a non-farming business proposal.

THE FUTURE

Looking to the future, we must be sure to keep that local distinctiveness which brings people to Cornwall; but who pays? Obviously the landowner ought to, because the land is his, but things are not as simple as that. Much of farming today does not essentially need hedges so who gets the benefit? In all fairness, either the tourists or the local residents should contribute to the care of the hedges via their ordinary taxes to central government, or they should have to pay by some other means, perhaps a tourist tax for upkeep such as that payable on entry to some foreign holiday destinations. The first port-of-call is in the making of central and local government contracts and grant-aid schemes. Some of them allow for new hedges, others are for looking after existing ones but all are, or should be, reliant on the work being done properly, and must be adequate to finance this realistically. The Guild of Cornish Hedgers, the voluntary local organisation run by professional hedgers, regulates the Code of Good Practice for Cornish Hedges, and the insistence on this code being followed in all contracts and grant-aid schemes is vital. The Code does not specify the stone used or the style or pattern of building, as these vary, so they need to be stated in the contract. The stone should be from nearby hedges if these have to be, or have been demolished, or from a quarry supplying the same or similar stone to that in nearby hedges. The style or pattern of hedge building should also follow that of nearby hedges.

The trimming of hedges is an important part of their future. Increasingly people are realising that hedges are the most important semi-natural wildlife habitat in the Cornish countryside and that the bad practice of trimming both sides and top tightly to get a 'tidy finish' must be overturned in favour of trimming less often, in the winter, alternate sides in alternate years or two years, and not so

tight to the hedgebank. Using modern versions of the finger-bar trimmer in place of the flail will be highly beneficial. Topgrowth should be left for each tree-trunk to be selectively coppiced when it is *as thick as a man's thigh at breast height*.

The Victorians, when developing a site in Cornwall, used to surround the development with Cornish hedges, planted on top with trees and shrubs or allowed to grow naturally. This practice should be reintroduced within the planning system for environmental screening and for the benefits to wildlife.

The standards of traditional Cornish hedging must be preserved. Experience has shown that this craft cannot be taught successfully in a group, class or contractor's gang, so the Guild of Cornish Hedgers has an apprenticeship scheme for fifty working days on a one-to-one basis with a professional hedger. This is followed by a practical examination with award of a Craftsman's Certificate in Cornish hedging. Hedgers who want to work in different localities have to learn several styles of hedging and so will have to gain experience in those localities where the styles are used. Most of those styles came about because of the character of the stone available locally, others were the speciality of the local landed estate, or were the idiosyncratic style of a local hedger of perhaps several hundred or thousand years ago. These must not be lost, especially styles related to the local stone because they make for a better hedge structurally, as well as in landscape distinctiveness.

Today, with shortage of money and labour, a farmer may farm with run-down hedges, keeping livestock in the field with one side of the hedge protected by a barbed wire fence. Unfortunately this allows the animals to trample the hedge from the unfenced side, so it gradually loses its structure. Sometimes a fence is put along the top of the hedge, allowing stock to break down the stones on both sides of the wire, thus gradually reducing the hedge to nothing. Eventually it is just a low earth-and-stone mound, weathering and trickling slowly out into the field and disappearing. A farmer may omit any protecting fence, with the same result that the hedge is trampled down until it is no longer repairable and can only be completely rebuilt. Rabbit control has tended to lapse since myxomatosis, but in places rabbits are now once more exceeding the natural rate of control by predators such as buzzard and fox, and can seriously damage hedges. In view of the cost, the more usual end result of neglect or damage will be bulldozing and clearance, the stone perhaps robbed for a nearby barn-conversion.

It becomes a stark fact that, to keep our hedges in good traditional repair, the farmer has to be paid, less or more, to look after his hedges, many of them needing to be fenced on both sides. The national farming economy and its attendant farm-gate prices tend to be based on farms in East Anglia where many fields are larger than 100 hectares (250 acres) and may have only a single wire fence or thorn hedgerow between. Even a 40 hectare (100 acres) field has, pro rata, less than one quarter of the hedge length of a 2 hectare (5 acres) field. More than half our fields in Cornwall are less than 2 hectares. The hedges are part of the farmed landscape and the care that a hedge needs is inextricably bound up with the way that the adjoining fields are farmed. The traditional livestock grazing and crop rotation that produced Cornwall's network of hedges is under rapid decline and change, constituting an imminent threat to our unique hedged landscape unless adequate alternative incentives are installed.

From grant-aiding the removal of hedges in the interests of feeding the people after the war, government policy had to be adapted to the environmental concerns resulting in the Hedgerows Removal Regulations 1997. These are being revised, probably in 2007; how they are going to be linked with the agri-environment schemes has not been decided. Only recently has government realised that hedges need more money spent on maintaining them than is justified by their contribution to farming profits. The Countryside Stewardship Scheme gives some grant aid for the restoration of semi-derelict and for new Cornish hedges. The Entry-Level Scheme and the Higher-Level Scheme allow for some maintenance and restoration of hedges but only to a limited extent, and

the landowner still has to meet some of the costs without any clear financial benefit. Cross-compliance will probably halt most of the removal of hedges on farms but will have no effect on non-farm hedges. The lack of official interest in the non-farming sector in the preservation and maintenance of non-farm hedges is depressing.

It is a good thing to protect hedges against being removed, but grant-aid for upkeep is as important. The long-term effect of not keeping hedges in repair is their gradual disintegration with no hope of restoring them all. It is better to keep a ruinous hedge in the landscape than to remove it, but there is little guarantee that such hedges will be kept. The solution is to make added financial provision for them as a major historical, ecological and visual asset, and a unique heritage. The problem of making sure that hedges in towns and villages are also looked after is just as important.

If the deterioration of hedges continues, there will come a point at which the need for repair will be so widespread that funding, whether from the private landowner or from the public purse, would be too much of a load for the community to bear. It would be short-sighted to wait for the hedges to get into such a state before there is general agreement that something should be done. Now is our opportunity.

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