

Effingham Common and the Commoners' Rights

Written by Susan W Morris: 11 May 2010

There are many commons still in England, but

Effingham Common is special because commoners' rights have been preserved, which is very rare.

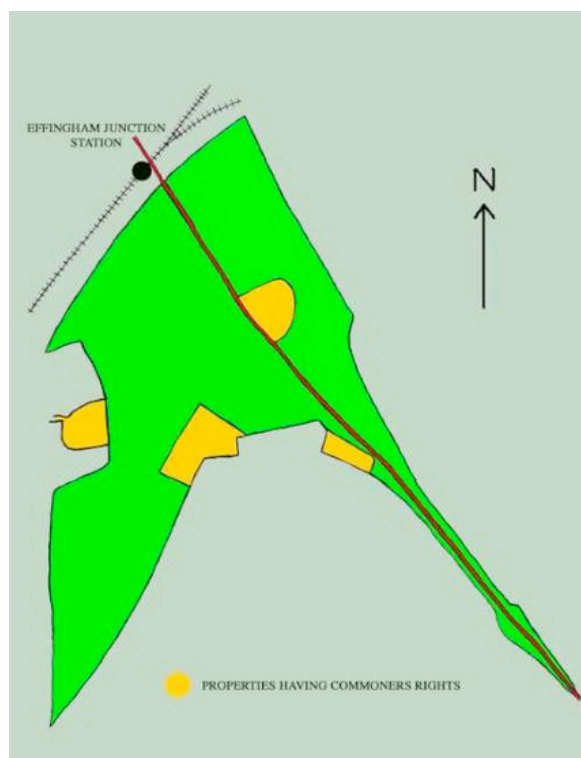
From medieval times and even earlier, most villages across the country had a common which was an essential source of sustenance for villagers. Commons were owned by the Lord of the Manor, but usually the soil was in some way unsuitable for tillage so it could not be rented out like other fields. Instead, depending on what the land was like and what it could offer, villagers were permitted to use it for other purposes such as grazing for animals (horses, cows, sheep, geese etc), allowing pigs to forage for acorns, collection of fallen wood for fuel, fishing, and so on. The families which were allowed to make use of the common in this way valued their 'commoners' rights' because they were such an invaluable supplement to their diet and domestic economy.

When the great national drive to improve the yield of agricultural land began in the late eighteenth century, many landowners completely reorganised the way village land was farmed (the enclosure movement). Many commons were taken into private farming use and, despite protests, villagers in many areas lost their customary commoners rights.

This did not happen in Effingham. At that time, the area we now call Effingham Common belonged to the Lords of two different manors: the Manor of Effingham, and the Manor of Effingham East Court Both introduced Enclosure Acts, but these did not affect the Common. However, there was a great village battle over the Common still to come.

By 1965, there was national concern that remaining commons were being sold off for one purpose or another, or being built on, so historic green spaces were being lost and villages spoiled. An Act was passed which allowed villages to register not only their commons, but also any surviving commoners' rights. This would mean the common was preserved from development for ever, and the commoners' rights could never be taken away from them.

By this time one family owned the land of both Effingham manors. Effingham residents wanted to register Effingham Common, but the Lord of the manor(s) opposed this, feeling, perhaps understandably, that as he owned it, it was his private land to do with as he wished. A village campaign was started and residents contributed a considerable amount of money to pay for the legal costs. Many ancient documents and proofs were exhaustively researched, examined and discussed. Finally, in 1976, the Commons Registration Commission gave its verdict. The Common was registered, and four Effingham properties had successfully proved their entitlement to commoners' rights. These are now preserved in perpetuity.



Sketch (by David Putland) of the Common, straddling the northern stretch of Effingham Common Road

The commoners' rights at the four properties are as follows:

Property 1

On one specified area:

common of pasture to graze 3 ponies, 1 cow and 10 geese

On a second specified area:

common of pasture to graze 2 donkeys, 2 sheep, 1 cow and 10 geese

Property 2

On one specified area:

common of pasture to graze 24 sheep and 12 geese

Property 3

On one specified area:

common of pasture to graze 1 sheep and 15 geese, and

common of estovers (right to take wood)

On a second specified area:

common of pasture to graze 1 sheep and 15 geese, and

common of estovers

On a third specified area:

common of pasture to graze 1 horse, 4 cows, 20 sheep and 15 geese, and

common of estovers

Property 4

On one specified area:

common of pasture to graze 1 horse

On a second specified area:

common of pasture to graze 6 cattle or horses, and

common of estovers