

Effingham Common – Early Commoners' Days

VARIOUS CONTRIBUTORS

The registration of Effingham Common in 1976 was the culmination of a long and hard-fought campaign by Effingham Parish Council together with many residents and stands as one of the most distinctive historic achievements of the Effingham community as a whole. The commoners' rights established at that time have since been celebrated by a series of Commoners' Days intended to demonstrate the continuing exercise of those rights. This article describes the earliest such events.

Effingham Common and commoners' rights

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 (known as 'right of pannage'), collection of fallen wood for fuel ('estovers'), collection of turf ('turbary'), fishing ('pescary') and so on. The households 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.

The land making up today's parish of Effingham was never the property of just one manor but of several. Manors which held land in Effingham have included Effingham, Effingham East Court, Effingham La Legh, Effingham la Place, Byfleet, East Horsley and Little Bookham. Most of these held areas of common in Effingham at various times, but down the centuries the areas they owned constantly fluctuated as pieces were bought, sold or swapped and even manors themselves were merged. This means it is hard to say 'Effingham Common belonged to X manor' – it will depend on what year one is talking about.

In the past furthermore the acreage of common in Effingham was far more extensive than just the single area we have today and was dispersed more widely through the parish. There was a large area in the south, and on the western boundary with East Horsley was also Brookhill Common. What we today call 'Effingham Common' was formerly known as 'Effingham North Common' to distinguish it from these others. This was not the isolated island it is now. It continued seamlessly with Horsley, Cobham and Bookham commons (in other parishes and manors) to the west, north and east.

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 Inclosure movement). Commons were taken into private farming use and, despite protests, villagers in many areas lost their customary commoners rights. Other areas were absorbed by the encroachment of the private estate or parkland of manor houses. Both Brookhill Common and the southern Effingham common succumbed to these pressures and 'disappeared'. Effingham North Common however escaped and by the 1870s it was the sole survivor. However, there was a great village battle over it 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.

In Effingham by this time, the Calburn family owned both manors into which the land of Effingham Common then fell – Effingham manor, and Effingham East Court manor. Effingham residents wanted to register it, 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 (and planning applications to develop it for housing were put in in 1937 and 1973). 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.

The four properties which today have registered commoners' rights are:

1. Slaters Oak, Effingham Common Road
2. Huckamoor (formerly Brickfield Farm), Orchard Close
3. Leebrooke, Effingham Common
4. The Willows, Effingham Common Road

and their locations are indicated in Figure 1.

The decision by the Chief Commons Commissioner to confirm the registration of the rights attaching to these properties was set out in a 9-page document dated 15 March 1976 and specified precisely what those rights were. A slight complication in the arrangement is that the properties have varying rights on three different areas of the Common, specifically (i) 5 acres in the northern part of Hooke Common, (ii) the remainder of Hooke Common and (iii) part of the manor of East Court. Given that, the rights are as follows:

1. *Slaters Oak*

On northern Hooke Common:

to graze 3 ponies, 1 cow and 10 geese

On East Court:

to graze 2 donkeys, 2 sheep, 1 cow and 10 geese

2. *Huckamoor*

On northern Hooke Common:

to graze 24 sheep and 12 geese

3. *Leebrooke*

On East Court:

to graze 1 sheep and 15 geese, and estovers

On northern Hooke Common:

to graze 1 horse, 4 cows, 20 sheep and 15 geese, and estovers

On the remainder of Hooke Common:

to graze 1 sheep and 15 geese, and estovers

4. *The Willows*

On East Court:

to graze 1 horse

On northern Hooke Common:

to graze 6 cattle or horses, and estovers

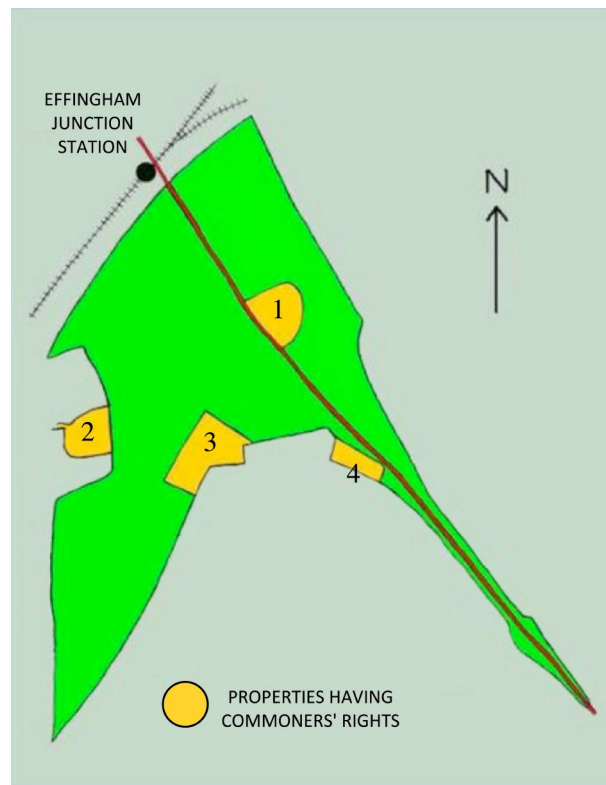


Figure 1 Properties having commoners' rights.

Note – some of the designated numbers of animals and geese given in ELHG's early book Studies in Local History: Effingham Common [publ Effingham Local History Group (ELHG), 2011] were not correct.

Early references to commoners' rights on Effingham Common

The matter of commoners' rights on Effingham Common can be traced at least as far back as the 1930s, as can be seen in this extract from the very extensive and deeply researched article *An account of the sad, splendid lawsuit of William of Effingham* by Susan Morris in ELHG's *Effingham Common* book [op cit]:

On 1 September 1926 the provisions of section 194 of the Law of Property Act 1925 had come into force. From that day forward, to 'enclose' any land subject to commoners' rights would require the consent of both the Ministry of Agriculture and Fisheries and the County Council. 'Enclose' means a whole variety of activities involving permanent structures or changes, such as laying areas of hardstanding, buildings, walls, ditches – not just fencing around the edge of an area.

By itself this provoked no problems in Effingham but soon afterwards the 1932 Town and Country Planning Act required District Councils to prepare a Planning Scheme. Thus it came about that Guildford Rural District Council (GRDC) 'zoned' (identified) Effingham Common as 'public open space' subject to rights of common. In other words, it was the GRDC's view that some properties around the Common had inherited ancient rights to pasture their animals or gather firewood etc. on it. The Council didn't know for certain that these rights existed, nor, if they did exist, what specifically they were. But it was enough for GRDC to record the fact that rights were believed to exist. It would be for another body to determine the question one way or another.

When GRDC submitted its Draft Planning Scheme to the Ministry of Health for approval in 1937, Mr. [Robert Reitmeyer] Calburn objected. He believed Effingham Common was his own private land, not public open space, and that any commoners' rights which may once have existed were long since extinguished. He had already generously given Banks Common to The National Trust in 1925, so by 1937 he may justifiably have felt he had already done his bit for public open space and as will be seen presently, his objection at this time did not bring to an end his role as village benefactor. Various investigations and researches followed. It transpired that the property called Slaters Oak looked as if it would be able, should it be necessary, to prove commoners' rights recorded on its deeds since at least 1907 (but these still had not been tested in court). Furthermore, Mr. Estler had been actually exercising the commoners' rights which belonged to his property Leebrooke and which went as far back as anyone could remember.

As noted in the extract above, the issue of commoners' rights on the Common had come to the fore in 1937 when, acting upon the guidelines set out in the Town and Country Planning Act 1932 for the submission of planning schemes, GRDC had on 8 April 1937 submitted such a scheme for the district to the Ministry of Health for approval, being publicly announced by the notice in Figure 2. This scheme had designated the Common as a public open space subject to 'rights of common'. Calburn, however, had already applied for planning consent to develop the entire Common for housing, in direct conflict with the scheme. Accordingly, on 1 April the Town Planning Committee rejected Calburn's plan. The Committee's Chairman, Reginald Arthur Bray, made this brave claim about the Common: 'Until a few years ago it was a common in the ordinary sense of the word, there being a lord of the manor and owners who had rights of common. The rights of common prevented any possibility of enclosure.' This claim would in due course be put to the test. Appendix II presents a long newspaper article describing the Committee's deliberations on this occasion.

No mention of commoners' rights appears in the Minutes of the Ordinary Meetings of Effingham Parish Council [EPC] from 1930 onwards until July 1948. Such mentions as appear in certain periods from that date are presented in Appendix I, which provides verbatim extracts from both the Ordinary Minutes and the Chairman's Reports delivered at Annual Parish Meetings.

In the 1940s and 1950s EPC's activity in this matter was mostly a process of enquiry, trying to ascertain whether commoners' rights really did still prevail on the Common, whether (if they did prevail) such rights could be overridden by the land owner (Calburn) and whether a scheme could be put in place to regulate the use of the Common. EPC looked a good deal to the GRDC for information and support in these endeavours. However, little was clearly established about the matter during these two decades. In the mid-1950s EPC was still enquiring of GRDC as to whether certain residents did have common rights and whether these were compromised by Calburn's claim to absolute title over the land.

As narrated in Susan Morris's article, it was in 1957 that an event took place that would propel these questions into the jurisdiction of the courts. Mr Estler of Leebrooke, a house on the edge of the Common, had his horse William impounded by one of Calburn's tenants and moreover was sued for the damage (with costs) that William's grazing had allegedly inflicted upon Calburn's land. Estler believed he had rights of

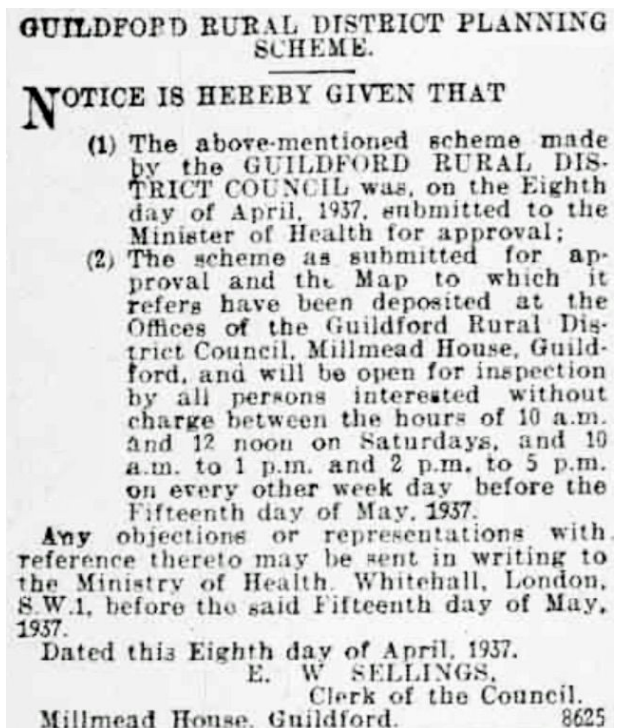


Figure 2 *The Surrey Advertiser and County Times*, 17 April 1937.

common, entitling him to let William graze on the Common. However, he lost the case and also lost his subsequent appeal, but in the course of this it was apparently conceded in the court's judgment that he did have some limited rights of common, though not to the extent that he had first claimed.

It was not until 1965 that the question of the rights on the Common would be explored to the full. In that year the passing of the Commons Registration Act opened the door for claims to be made to a new Commons Registration Authority in support of the registration of particular areas of land as commons, including the detailing of any rights of common.

The beginnings of Commoners' Days

The registration in March 1976 of Effingham Common and of the rights attached to it was the culmination of a long-drawn-out campaign extending from the late 1960s up to the mid-1970s. It was triggered in 1968 by the announced intention of Guildford Rural District Council to register Effingham Common, notwithstanding the known opposition of Mr Calburn as principal owner and Lord of the relevant manors. In response, Effingham Parish Council encouraged the residents to assemble the best evidence they could to demonstrate the existence of both historic and continuing rights on the Common. It gave the fullest backing it could to the mounting of a joint legal action aimed at proving, before the Commons Commissioner, the claims of four particular households (those noted above) as to their rights. The many twists and turns in this mighty enterprise are narrated in the above-mentioned article by Susan Morris.

The registration of the Common and the details of the commoners' rights were subsequently recorded in the *Commons Register for Surrey* maintained by Surrey County Council; in this register, Effingham Common is designated as Unit CL24.

Although many residents of Effingham had played substantial roles in the achieving of this outcome, particular credit must be accorded to the members of Effingham Parish Council and – especially – to the dedication and driving force of its Chairman, Antony (‘Tony’) Donald Page. Tony, who lived with his wife Jessica Elizabeth (née Harrold) and their children were then living very close to the Common, at Wrens Hill in Lower Farm Road. Jessica, who had grown up in Effingham, had known the Common from childhood. Tony chaired the Parish Council during the electoral years 1968-70 and 1971-80, spanning the entire period of the campaign for registration of the Common. Shown below is the draft he made – in his characteristic red ink handwriting – of the noting in his Chairman's Report for the 1975-76 year of the case having been won.

Effingham Common
 – as many of you will know, we have won our case before the
 Commissioners of Common, so that the Common is registered as such, for ever.

Figure 3 Tony Page's note for his Chairman's report that the case for registration had been won.

Besides this, both he and Jessica made major contributions over many decades to the Effingham community and beyond, as well as becoming in later years enthusiastic members of ELHG. Most of the photographs presented in this article were taken by Jessica and later donated to the Parish Council.

Although the registration had ostensibly provided legal underpinning and protection of the established rights, the view was formed among those most closely connected with the subject that, with the long term future in mind, that protection might be consolidated further by the regular exercising in public of those rights and preserving records of this having been done. This seemed especially appropriate given how important the proving of earlier exercising of rights had been to winning the case.

Thus in 1980 the first of Effingham's Commoners' Days was staged, taking place on 20 September. This was not a formal event and nor – as far as we can ascertain – was it widely advertised. The only documented note of it happening is one made by Tony in his final Chairman's Report to the Parish Council for the 1980-81 year, which read as follows:



Figure 4 Tony Page in 1973.

‘Commons Rights

The Parish Council arranged for those residents on Effingham Common who have rights to graze sheep, horses and donkeys, and to collect wood, to exercise those rights on 20th September. It is important that these rights should be seen to be exercised in order that they may be preserved, and there will now be an annual event on these lines.’

This small-scale but important step marked the beginning of (up to the present day) a quarter of a century during which the rights have been periodically exercised on Effingham Common, not without occasional hiatuses in past decades but nowadays forming a fairly regular event in the Effingham calendar, usually witnessed and enjoyed by several hundred people.

The best evidence we possess at present as to the years in which the early Commoners' Days took place consists of the Minutes of EPC's Ordinary Meetings and the EPC Chairman's Reports from the Annual Parish Meetings (see Appendix I). After the first Commoners' Day in 1980 they did take place annually up to and including 1989, but the Minutes and Reports make no mention of any during 1990-93. The next was in 1994 and in the Report for that year is the phrase ‘our initiative to revive the annual Commons Day’, confirming that there had indeed been a hiatus. EPC's Minutes for 1992 and 1993 support this conclusion. A remark in the Minutes for 1995 notes agreement to hold a Commoners' Day in July 1996. A letter from Tony Page to Ray Davies dated 24 February 2001 indicates that Jessica, who was now EPC's Chairman, was proposing to hold a Commoners' Day ‘in June or early July’ 2001 and the Minutes confirm that this took place on 21 July. The Minutes and a small batch of correspondence confirm that another took place in 2002. The Minutes and some correspondence show that a Commoners' Day had been scheduled for 13 October 2007 but cancelled owing to Foot and Mouth restrictions on animal movements. Another planned for 19 September 2009 was likewise cancelled by EPC owing to insufficient time to prepare for it.

To summarise, then, the years prior to 2010 for which we *know* that Commoners' Days were held are just the following: 1980 to 1989 inclusive, 1994, 1996, 2001 and 2002.

The Friends of Effingham Common

The flyer shown in Appendix III explains the origin of The Friends of Effingham Common as follows:

‘When Guildford Borough Council purchased the largest section of Effingham Common in 2002, a joint steering group called The Friends of Effingham Common was set up to guide future management of the Common.’

The purchase had been completed in January 2002. From that point onwards Guildford Borough Council [GBC], EPC and The Friends acted in partnership in planning and managing the subsequent Commoners' Days. Prior to this, Commoners Days had been informal events driven by the initiative of EPC as a body as well as of certain individuals in particular, such as Tony and Jessica Page, who were passionately committed to the upholding of commoners' rights.

We do not know why the Commoners' Days became less regular through the 1990s. Perhaps their importance became eclipsed by mightier concerns within EPC's remit. However this may be, when Jessica became Chairman in April 2000 she probably took advantage of that position to galvanise EPC into reviving the tradition. We see from the Minutes that by February 2001 she was already planning a Commoners' Day for that year and was writing to the rights holders to invite their participation.

After GBC had entered the picture, the Commoners' Days became gradually more elaborate, being able to take advantage of the additional resources that GBC was able to provide. The Borough's involvement was steered with great enthusiasm and vigour for many years by its newly-appointed Trees and Countryside Manager, Mr Adam Owen, working in close partnership with The Friends and in particular with Brian Hendry who lived near the edge of the Common and served for some time as their Chairman. Despite these developments, the frequency of Commoners' Days once again became patchy during the first decade of the 2000s, with an eight-year gap between the events of 2002 and 2010.

The Photographic Record

We have accumulated a growing collection of photographs of the Commoners' Days (as well as some video clips); a selection of those from the years 1980-96 forms the remainder of this article.

Commoners' Day 1980: Saturday 20 September

The first four photographs of this event (Figures 5-8) were donated by Barbara Henry to ELHG and dated by her. The next two (Figures 9-10) are in an album donated to EPC by Jessica Page.



Figure 5 (John) Derek Alun-Jones and his wife Gillian (née Palmer) of The Willows with ponies.



Figure 6 Derek Alun-Jones (at centre) with Richard Parton of Huckamoor; Gillian Alun-Jones at right.



Figure 7 Richard Parton with his wife Islay Reneira 'Joy' (née Watson); she died in June 1985.



Figure 8 Joy Parton with grazing sheep on Hooke Common.



Figure 9 Richard and Joy Parton, centre; Gillian Alun-Jones and unidentified person at left; by Lower Farm Road.



Figure 10 Adrian George Estler of Leebrooke on his cart pulled by horse William 2nd ('Bill'); in Lower Farm Road.

Commoners' Day 1981: Saturday 19 September

The following five photographs also appear in Jessica's EPC album and are dated by her.



Figure 11 Adrian Estler standing on his cart, on East Court Common.



Figure 12 The man in the foreground was identified by Jessica as 'John Thompson'; we are currently uncertain as to where he was living at this time.



Figure 13 Adrian Estler at rear; John Thompson and others in the foreground.



Figure 14 Adrian Estler and a friend collecting wood.



Figure 15 Derek Alun-Jones with pony.

Commoners' Day 1982 (presumed): Sunday 10 October

The next two photographs are labelled 'April 1983' in Jessica's EPC album, but only because that is the processing date stamped on their reverses; they must have been taken in 1982 but printed much later.



Figure 16 Adrian Estler collecting wood with Bill.



Figure 17 We do not currently know the identity of the woman in the foreground.

Commoners' Day 1985 (presumed): Saturday 12 October

The next three photographs are labelled 'April 1986' in Jessica's EPC album, but only because that is the processing date stamped on their reverses; they must have been taken in 1985 but printed much later.



Figure 18 Adrian Estler collecting wood again.



Figure 19 Adrian Estler.



Figure 20 This woman is not named in Jessica's album but is almost certainly Gillian Alun-Jones.

Commoners' Day 1986: Saturday 18 October

The first photograph below is labelled 'October 1986' in Jessica's EPC album. The one below it is unlabelled but, judging from Estler's attire, is contemporary with it.



Figure 21 Jeremy Alun-Jones with groom at centre, on East Court Common next to Lower Farm Road, with The Willows in the background at right; Adrian Estler, with log, to the left of the group.



Figure 22 Adrian Estler with Bill on Lower Farm Road.

Commoners' Day 1994: Saturday 29 October

The photograph below is labelled 'Oct 29th 1994' in Jessica's EPC album.



Figure 23 (L to R): Tony Page, Keith Cornwell (Chairman of EPC), Peter Grobel and Richard Parton (at front).

Commoners' Day 1996: precise date unknown

The next five photographs were donated to ELHG by Liz and Chris Hogger.



Figure 24 Grazing of goats; Valerie Chapman (in red coat) at right.



Figure 25 Grazing of goats.



Figure 26 Grazing of goats.



Figure 27 Perhaps (now Sir) Derek Alun-Jones.



Figure 28 Ray Davies of Slaters Oak, former lead singer of The Kinks, with donkey.

ILLUSTRATIONS

Figure 1: simplified map of Effingham Common, produced by David Putland

Figures 2, 29: courtesy of Reach plc / *Mirrorpix*

Figures 3, 4: from the archives of Effingham Parish Council

Figures 5-8: from Barbara Henry

Figures 9-23: from Jessica Page / Effingham Parish Council

Figures 24-28: from Elizabeth Irene Hogger and Christopher John Hogger

Figure 30: from Susan Morris

APPENDIX I

*Extracts from EPC Minutes and Chairman's Reports***Extracts from EPC Minutes of Ordinary Meetings: 1948-57***5 July 1948*

'The Clerk was instructed to make enquiries for the Roll of Rights pertaining to Effingham Common.'

13 September 1948

'Correspondence was read on the subject of the Common Rights from the Ministry of Agriculture and Fisheries and Guildford Rural District Council suggesting the desirability of making a Scheme under the Commons Act for the regulation of the Common. The Council agreed to the Ministry's suggestion and the Clerk was instructed to proceed in the matter.'

13 December 1948

'The Sub-Committee dealing with the Common, Mrs Bristow and T F Flack, reported progress in the endeavour to establish certain Common Rights of residents in the vicinity of Effingham Common.'

7 February 1949

'In view of the letter received from the Rural District Council on the subject of the Control and Management of Effingham Common, the Council agreed to further press for its accomplishment, under the Commons Act.'

7 March 1949

'The Council agreed, in view of the reply from the Clerk of the Rural District Council on the subject of the Control and Management of the Effingham Common, that it should be asked to ascertain:-

1. Whether Mr Calburn is the Lord of the Manor.
2. Any significance in an overriding veto.
3. The Council would like to be told of the nature of the suggested alternative scheme.
4. Whether the Rural District Council have made any efforts to view the Roll of Rights of Effingham Common.'

13 June 1949

'The Sub-Committee in their pursuits had discovered an historical map of Effingham, of considerable interest in the present search for information respecting the Common Rights, and promised to endeavour to obtain either the original or a copy for the Council's retention and reference. The Chairman observed that it was now incumbent of the Council to commence collecting historical records.'

21 April 1953

'It was reported that a lease was being drawn up by the Lord of the Manor and a Football Club with regard to land on Effingham Common. The Clerk was requested to ascertain whether any of the property owners adjacent had common rights.'

27 May 1953

'The Clerk reported that although it appeared that certain people may have common rights, Mrs Bristow to write to the Guildford Rural District Council.'

3 December 1953

'Common Rights. This matter was deferred until the next meeting.'

4 January 1954

'Common Rights. The Clerk reported on the previous correspondence with regard to common rights and the proposal turned down by the Surrey County Council for the acquisition of the Manorial Rights. The Clerk to write to the Agricultural Executive Committee to ascertain their intentions with regard to the land at present under requisition on the Common.'

24 September 1954

'Mr [sic – Mrs?] Bristow raised the question of rights on the Common in view of the Lord of the Manor's claim of absolute title. Mr Johnson to raise the matter with the Clerk of the Guildford Rural District Council.'

15 March 1955

‘The Council agreed to the suggested rectangular site to be ceded [by the Lord of the Manor], necessary legal action would now be taken. Mrs Bristow raised the question of common rights, the Clerk to look up the previous correspondence on the matter for the next meeting.’

6 February 1956

‘In view of the complex matters arising out of Common Rights it was agreed to leave this matter to a fuller committee meeting.’

31 July 1957

Mr Johnson reported that the Guildford Rural District Council were supporting Mr Estlar [sic – Estler] in an action regarding Common Rights.’

Extracts from EPC Minutes of Ordinary Meetings: 1976-78

21 December 1976

‘It was agreed that in replying to the Lord of the Manor the Chairman should make reference to the rights of the Commoners, in particular that sufficient common land should be made available for the exercising of the right of estovers.’

25 January 1977

‘The Chairman reported on correspondence with the Lord of the Manor who was now in process of writing to the Common Right holders.’

30 May 1978

‘Common Rights Case. It was agreed the Clerk should write to the Law Society and enquire as to from when [sic] the result of the Society's deliberations would be conveyed to the Parish Council.’

25 July 1978

‘Col Tyrwhitt-Drake declared an interest. The Council learnt that the Law Society had upheld Guillaume & Sons' case and the Council therefore reluctantly agreed to settle their account.’

Extracts from EPC Minutes of Ordinary Meetings: 1992-95

29 December 1992

‘Commons Day, Effingham Common. It was agreed this should be revived in 1993.’

28 December 1993

‘Effingham Common. It was agreed to try and organise another “Commons Day” sometime in the autumn 1994. It was agreed the Clerk should write to the known holders of Commons Rights – Ray Davis [sic – Davies], Sir Derek Alun-Jones and Richard Parton – to enquire as to whether they would be willing to participate. Also to enquire of the Open Spaces Society of any difficulty which might arise from the lapsing of the usage of rights.’

26 January 1994

‘Effingham Common: The Clerk reported on [sic] encouraging response from Common Rights holders with a view to arranging a Commons Day.’

22 February 1994

‘Effingham Common: Confirmation had been received from Alun-Jones that he would participate in a Commons Day.’

28 June 1994

‘Effingham Common: The Council noted that the cultivation rights for the Common had passed to Mr Hugh Milian of Te Whare, Heath View, East Horsley. It was agreed that the Clerk advise Mr Milian of the requirement to leave sufficient land for exercise of Common Rights.’

30 August 1994

‘Effingham Common: Saturday, October 29th at 10.30am was the proposed date for the holding of a Commons Day.’

27 September 1994

'Effingham Common: Confirmed that October 29th would be a Commons Day.'

25 October 1994

'Commons Day: Common Rights holders had been advised of the arrangements for the Commons Day on Saturday, 29th October.'

27 June 1995

'Effingham Common: The Borough Chief Executive advised that the Council were seeking to see whether it would be feasible to re-open the possibility of public acquisition of the Common, although judging by past experience he was not entirely hopeful.'

28 November 1995

'Commons Day: It was agreed the day be planned for a day [in] July 1996.'

Extracts from EPC Minutes of Ordinary Meetings: 2001-09

27 February 2001

'Commons Day: The Chairman reported that she had contacted two of the four known holders of Common Rights on Effingham Common with a view to arranging a Commons Day. It was agreed July would be the best month. The Chairman and Clerk to arrange.'

26 June 2001

'Commons Day: Confirmed would be held on 21st July next. The Clerk to advise Commoners.'

31 July 2001

'Commons Day: Had proved to be a successful event, grazing and wood collection had taken place with commoners exercising their rights.'

29 January 2002

'Effingham Common: The Council noted with great pleasure that the purchase of Effingham and Hook Common by the Borough had been completed.'

26 February 2002

'Effingham Common: It was agreed the Clerk write to the Borough to suggest a lessor meeting to discuss arrangements for the setting up of a managing committee which should include representatives of the Borough and Parish Councils, commons rights holders, and Friends of the Common.'

30 July 2002

'Effingham Common: A Commons Day would be held on August 24th, a date acceptable to Commons Rights holders.'

27 August 2002

'Effingham Common: A successful Commons Day was held on August 24th with a good attendance.'

29 October 2002

'Effingham Common: The public meeting had resulted in the formation of a Friends' Executive Committee, who would be meeting shortly to elect officers.'

26 November 2002

'Effingham Common: A meeting of the executive committee had been chld and the following appointments made:

Chairman	CEW Crouch
Secretary	TRE Driscoll
Treasurer	P Bergman'

28 January 2003

'Effingham Common: The next meeting of The Friends of Effingham Common will be on 10 February 2003.'

25 February 2003

'Effingham Common: The potential for Friends of Effingham Common will be discussed at the AGM (May).'

28 April 2006

'Friends of Effingham Common: Cllr Hogger reported that the recent work-day was very enjoyable but sparsely attended, and hoped more Parish Councillors would attend future dates. The annual public meeting is due.'

25 July 2006

'Friends of Effingham Common: Since there are parish councillors on this committee the opportunity to report will become a standing item.'

22 May 2007

'Friends of Effingham Common: Following tradition, EPC will hold a Commoners Day, probably Saturday 22 or Sunday 23 September; the Clerk to write to the Commoners.'

31 July 2007

'Friends of Effingham Common: GBC will cut the grass and spray the docks in September. There will be a visitor survey on 11, 12 and 14 August, and a scoping survey for flora and fauna. Replacement signage has been ordered. Mrs Page has asked for regular information from GBC and will convene a public meeting of the Friends in the autumn. EPC's Commons Day will need to be in October, after spraying.'

28 August 2007

'Friends of Effingham Common: Cllr Symes reported that the Volunteers will meet for a work party on 16 September. The AGM will be on 30 October; Adam Owen to be invited. Signage is on order; the grass will be mowed but weather has been a problem (the Common has been virtually impassable for most of the summer); scoping surveys for the ecology have been completed and data is being reviewed. The Clerk reported that the Commoners' Day planned by the Parish Council will be on Saturday 13 October.'

25 September 2007

'Friends of Effingham Common: Commoners had been invited to the Commons Day on Saturday 13 October but in view of the Foot & Mouth restrictions on animal movements it was agreed to postpone this.'

24 March 2009

'Proposed Commons Day this summer: GBC Parks and Countryside officer Adam Owen had contacted the Parish Council to suggest reviving this and a meeting will be held. It was agreed Cllr Symes will let the Friends of Effingham Common know.'

30 June 2009

'Friends of Effingham Common: A Commoners' Day was planned for 19 September, but the Clerk apologised for not having progressed arrangements. Cllr Nicholls volunteered to help, having organised them before. Apparently GBC thinks it owns the lordships of both manors.'

28 July 2009

'Postponement of Effingham Commoners' Day: Cllr Symes and the Clerk had had to come to the conclusion that there was not enough time remaining to organise this properly, but another meeting could be held to try to identify another date. Parish Councillors reiterated their support for continuing the tradition, and it will be arranged.'

29 September 2009

'Village Day, July 2010 and Commoners Day, September 2010: A meeting had been held with GBC and a new date had been set. GBC plans to send out a flyer to alert local residents as of now.'

1 December 2009

'Friends of Effingham Common: A successful AGM had been held with an interesting report by Adam Owen. Commons Day would be held on 26 September 2010.'

Extracts from Chairman's Reports: 1976-96*Chairman's Report for the year ending 1976 (ie ending on 31 March 1976)*

'Effingham Common – as many of you will know, we have won our case before the Commissioners of Common, so that the Common is registered as such, for ever.'

Chairman's Report for the year ending 1981

'Commons Rights. The Parish Council arranged for those residents on Effingham Common who have rights to graze sheep, horses and donkeys, and to collect wood, to exercise those rights on 20th September. It is important that these rights should be seen to be exercised in order that they may be preserved, and there will now be an annual event on these lines.'

Chairman's Report for the year ending 1982

'Commons Rights. The Parish Council arranged another "Commons Rights Day" on 19th September when residents on Effingham Common who have rights to graze animals or collect wood, did so. It is important that these rights should be seen to be exercised and we hope that this will now be an annual event.'

Chairman's Report for the year ending 1983

'Commons Rights. We held another annual "Commons Rights Day" on 10th October, when residents on Effingham Common who have rights to graze animals, or collect wood, etc, did so.'

Chairman's Report for the year ending 1984

'Commons Rights. We held what has now become our annual Commons Rights Day on 30th October, when some of the residents of Effingham Common who have rights to graze animals, or collect wood, etc, exercised those rights.'

Chairman's Report for the year ending 1985

'Commons Rights. We held what has now become our annual Commons Rights Day on 3rd November, when some of the residents on Effingham Common who have rights to graze animals, collect wood, etc, exercised those rights. It is important that these rights should be seen to be exercised regularly and recorded.'

Chairman's Report for the year ending 1986

'Commons Day. On 12th October, we held what has now become an annual Commons Rights Day, when residents on Effingham Common who have rights to graze animals, collect wood, etc, exercised those rights. It is important for the future of the Common that these rights should be exercised regularly and recorded.'

Chairman's Report for the year ending 1987

'Commons Day. On 18th October we held what has now become our annual Commons Rights Day, when residents on Effingham Common who have rights to graze animals, collect wood, etc, exercise those rights. It is important for the future of the Common that these rights should be exercised regularly and recorded.'

Chairman's Report for the year ending 1988

This made no mention of Commoners' Rights or Commoners' Days but noted that negotiations for Guildford Borough Council to purchase the Common had been notified to the Parish Council as being 'in the early stages'.

Chairman's Report for the year ending 1989

'Effingham Common. It is disappointing that Guildford Borough Council have unfortunately been unable to proceed with the purchase of the Common. We hope to resume this year what had become a traditional annual Commons Day, when residents on Effingham Common who have rights to graze animals, collect wood, etc, exercise those rights and are seen to do so.'

Chairman's Report for the year ending 1990

This made no mention of Commoners' Rights or Commoners' Days.

Chairman's Reports for the years ending 1991 and 1992

We have not so far been able to find these, if they exist.

Chairman's Report for the year ending 1993

This made no mention of Commoners' Rights or Commoners' Days.

Chairman's Report for the year ending 1994

'Effingham Common. We have been encouraged by the response to our initiative to revive the annual Commons Day when rights of common are exercised. It is likely to be in the autumn so watch the village notice board by the post office (which we hope you are using as much as possible) for the actual date and bring your cameras.'

Chairman's Reports for the years ending 1995 and 1996

We have not so far been able to find these, if they exist.

APPENDIX II

Guildford's Town Planning Committee rejects Calburn's plan to develop the Common

FUTURE OF EFFINGHAM COMMON

COUNCIL REJECT PLAN FOR DEVELOPMENT

—

INFORMATION AS TO RIGHTS SOUGHT

The Guildford Rural Council met at Millmead House, Guildford, on Thursday. Mr. Jocelyn Bray (chairman) presided, and there were also present Mr. J. E. Forrest (vice-chairman), Brigadier-General and Mrs. F. C. More-Molyneux, Brigadier-General F. S. Derham, Capt. C. A. Jones, Messrs. H. A. Baldock, T. W. Berry, H. C. Binsted, C. A. Botting, R. A. Bray, G. J. Briggs, J. S. Byron-Brown, A. E. Fowler, A. L. Kelly, S. Marshall, C. Nottage, E. F. Stovold, A. Sykes and W. B. J. Wall, with the Clerk (Mr. E. W. Sellings) and other officials.

EFFINGHAM COMMON

The Town Planning Officer reported to the Town Planning Committee that a plan had been received on behalf of Mr. R. R. Calburn, of Effingham, for development of the whole of the land forming Effingham Common, in respect of which the Commons, Open Spaces and Footpaths Preservation Society were assisting the Council with a view to establishing proof of rights of common. From inquiries made by the society it appeared that the information obtained would indicate that prima facie rights of common were exercisable in respect of Effingham Common, and it was felt the society's information, if capable of proof, would be sufficient to prevent the enclosure of part of the common without the consent of the Ministry of Agriculture and Fisheries.

The Clerk reported that in accordance with the instructions of the Council at the last meeting the society had been informed that the District Council very much appreciated the action being taken by them in the matter, and would like the society to take further steps with a view to establishing proof of rights of common, the area in question being included in the Council's planning scheme as a public open space, following the advice of the Preservation Society.

ZONED AS PUBLIC OPEN SPACE

The Council adopted a recommendation that approval of the development plan should be refused on the grounds that the land proposed to be developed was (a) subject to rights of common and (b) zoned as a public open space in the planning scheme. Also that the Commons, Open Spaces and Footpaths Preservation Society be informed of the Council's decision in the matter, and supplied with other relevant information with regard thereto.

Mr. R. A. Bray (chairman of the Town Planning Committee) said the matter was of the greatest importance to Effingham and the district as a whole. It was a proposal to develop the whole of Effingham Common. Until a few years ago it was a common in the ordinary sense of the word, there being a lord of the manor and owners who had rights of common. The rights of common prevented any possibility of enclosure. The Council zoned the common as land, subject to rights of common, and the owner objected, stating he had bought not only the common but all the land to which common rights were attached, and he claimed that the common ceased to be a common. Had he bought before 1925 what he said would have been right. Before 1925, if one was the lord of the manor and in addition purchased all land to which were attached rights of common, the common became private land.

The Council consulted the Commons, Open Spaces and Footpaths Preservation Society to which they belonged, and on the society's advice the Council recommended the land as a public open space to give the land protection. The society had been inquiring into certain owners' rights, and it was probable there were one or two owners who had rights. If there was a single owner who could say he had rights it was quite sufficient to prevent the common being enclosed. There might be people holding land in the neighbourhood holding rights, and he hoped they would communicate with the clerk of the Council, who would send on the matter to the society. He hoped the society would be able to show that there were owners, and therefore that the common could not be closed. In the meanwhile the Council's recommendation stood, refusing the request for the development.

Mr. J. Bray said he thought it was a matter in which the whole Council would be unanimous. They must take every step they could to secure the common.

Figure 29 *The Surrey Advertiser and County Times*, 3 April 1937.

APPENDIX III

Flyer introducing The Friends of Effingham Common

The Friends of Effingham Common

When Guildford Borough Council purchased the largest section of Effingham Common in 2002, a joint steering group called **The Friends of Effingham Common** was set up to guide future management of the Common.

The members of this steering group are:

- Representative/s of Guildford Borough Council (in practice, this is the Countryside Manager, Parks and Leisure Department)
- Representative/s of Effingham Parish Council – in practice, the Chairman
- Effingham's Borough Councillor – currently Cllr Liz Hogger.
- Representatives of local residents.

Currently, the Chairman of **The Friends** is Martin Smith, and the Secretary is Peter Bergman. Both are local residents.

The Friends hold occasional meetings to discuss issues and progress, and also public meetings to let interested residents know about plans etc. In the past **The Friends** also arranged work parties to tackle some of the work needed to clear the Common of the invasive scrub which was such a feature until recently. **The Friends** is also one of the three groups which organizes and runs Commoners Day every two years.

When a meeting is to be held, leaflets are delivered to residents in all the roads immediately adjacent to the Common. People from other local areas can also be involved. We maintain an email circulation list, which is much the most efficient way of keeping people in touch.

IF YOU WOULD LIKE TO RECEIVE INFORMATION FROM THE FRIENDS,

EITHER

EMAIL YOUR NAME AND ADDRESS TO PETER BERGMAN, THE SECRETARY, at
peterbergman@talktalk.net

OR

COMPLETE THE SLIP BELOW AND HAND IT IN.

* * * * *

I would like to receive information from **The Friends of Effingham Common**

Name

Address

Email

Figure 30 Flyer for The Friends of Effingham Common.