

Paper given by Hugh Matheson to the Thoroton Society on February 13th 2010 in the Mechanics Institute Nottingham.

How to maintain the agricultural estate of Laxton as “the only place in England where the open-field system of land tenure and farming is still practised in all its essentials.”?

The names Pierrepont and Laxton were bound together for 325 years. That is the link which brings me as the family member still resident at Thoresby, to this vital subject. My cousin, Gervas Pierrepont 6th Earl Manvers, sold the freehold of Laxton to the Ministry of Agriculture in 1952 to preserve it from the break up which would have followed his death in 1955. Subsequently it was sold on to the Crown Estates as part of the stream of privatisations imposed by the conservative government elected in 1979. An ‘undertaking to preserve’ was given in parliament as part of that sale but it was badly drafted and can be avoided.

As every researcher into the history of Nottinghamshire has done for most of those three centuries I looked first at Robert Thoroton, the Car Colston doctor and surveyor of his county, after whom this society is named.

In the 1790 printing, which belonged to Charles Pierrepont, 1st Earl Manvers I found that the passage in the preface, where Thoroton starts his impassioned argument against the enclosures had been highlighted and marked with a large black X.

“...as the Laws did it indifferently well, till that stupendous Act, which swept away the Monasteries, whose Lands and Tythes being presently after made the Possessions and Inheritances of private Men gave more frequent Encouragement and Opportunities to such Men as had got competent Shares of them, further to improve and augment their own Revenues by greater Loss to the Common-Wealth, viz by enclosing and converting Arable to Pasture, which as certainly diminished the yearly Fruits as it doth the People, for we may observe that a Lordship in Tillage, every year affords nearly double the Profits which it doth in Pasture, and yet the latter way the Landlord may perhaps have double the rent he had before.”

It is not clear whether this early act of library vandalism was provoked by an aristocrat’s dislike of the class of nouveaux landowners who had taken

advantage of those who had been less fortunate in the re-distribution of monastic wealth, a nineteenth century version of today's horror at the excesses of the Russian oligarchs or, possibly, by his pain that Thoroton, also of a landowning family, should write in such a conservative vein. The mark is undated and I choose to take it as an indication that, whichever Pierrepoint made it, disliked Thoroton's opposition and was in favour of wholesale enclosure. Regardless of his opinion, that Pierrepoint along with those before and after him, up to the early 20th century, did not manage to enclose all of Laxton. The relic of the open-fields which we have today, springs more from their lack of will, rather than high minded principle.

Thoroton goes on to quote, in support of his view, a long suite of Tudor statutes which attempted to regulate the portion of tillage to pasture in the country, presumably to ensure the even and plentiful supply of food as well as to keep the landless labourers, left behind by enclosure, off the care of the parish.

There are two, major, 20th century studies of Laxton. I have relied on the two CS's Orwin, "The Open Fields" OUP, 1938, and on Professor John Beckett's, History of Laxton, OUP, published 20 years ago. Beckett's concluding chapter looks at "The Survival of the Open Fields" and demonstrates that the present undertaking given, in Parliament in 1981, on behalf of the then vendor, the Ministry of Agriculture, that the Crown Estates, as successor, would commit to maintain Laxton as they found it "Just as long as tenants are available and willing to work the system", is vulnerable to the difficulties of finding a new corps of ultimately at least 14 tenants and preferably more.

Farmers, as a class, in most economic ages, are land hungry and if one, or several, Laxton tenancies were available there would be plenty of takers. But, if the land were to be placed at the highest price it would most probably go in one block to a single tenant and the open-field system as practised at Laxton for over a millennium would end in one day. The Crown Estate has nurtured the tenants and the system for the last 29 years. But, it has been papering over the cracks and the current 14 includes several farmers well past the normal retirement age. It is dependent of a variety of unwritten agreements, which would have stretched the patience of a jury in the manor court in previous centuries.

The histories of Laxton depend, for primary source material, on the estate records kept throughout the three and a quarter centuries that the village was largely in the ownership of the Pierrrepoint family. The writers marvel at this survival of the open-fields and dwell at length on why the various efforts to enclose the whole never succeeded. Of course, the majority of the open-field land has been enclosed and the existence of the remaining 480 acres still cultivated in strips, is only half of the story. Almost more interesting is the survival of the rules of how each occupier must cooperate with the others. How close to some golden age of a fully interdependent village is it, or are today's tenants just going through the motions?

This paper looks at what the open-field system was and is and attempts to describe which of its features can be retained in a genuine and helpful way to ensure that the relic is real and can continue to be real. If what Laxton stands for, as the only surviving variant of the ancient, unenclosed way of farming, has become a Disney version of the original and has no merit worth continued effort and expenditure, then the debate should start now on how to put it out of its misery.

A visitor to Laxton this afternoon might well arrive by the road from the south which, as it emerges from Kneesall wood, gives a view of almost the whole topographical spread which has comprised the settlement since the Neolithic men began to clear the natural woodland, which covered land of this type since the retreat of the Ice. The clues, which the modern view offers to its history, are hard to spot. It is a fairly typical view of large and small arable fields spread out around a tightly clustered village. On closer examination the strips, now about three acres each, are visible in the West field, Mill field and South field and the thirteen farmsteads, aligned sideways on to the road through the village, are unusual, but it takes a long hard look to mark the differences.

The emergence of Laxton as the site for an early agricultural settlement may, tenuously, be attributed to its being a place with workable soil, glacial flow overlying reddish keuper marl. It helps that it is close to the escarpment which marks the eastern edge of the band of Bunter sandstone, running northward from Nottingham to Blyth and spanning about 10 miles at its widest. The soil over the sandstone dries out so quickly in summer and has so few natural nutrients, that it was never suitable for early farming, and being ignored by the plough, was sequestered as a royal game larder. Sherwood Forest, like any rich source of meat, needed protection and in

1071, five years after his conquest, William of Normandy granted a large fief to Geoffrey Alselin who started building the castle and surrounding bailey, as his headquarters, at Laxton. His eventual heir, Robert de Caux, became hereditary keeper of the royal forest of Derbyshire and Nottinghamshire, all managed from Laxton. It is tempting to guess that the choice of Laxton was made easier by the fact that it was already proven as productive land, which could withstand hard times and changes in weather. Also it was conveniently placed to send men and arms to put the frighteners on anyone challenging the Norman control.

The survey, published in 1086 as Domesday book, showed, that, Laxintune, with Alselin as the Norman lord, has two carucates of land. A carucate was the area one plough, drawn by eight oxen, could manage in a cropping season and is generally taken to be 120 acres which, multiplied by the six ploughs recorded in Domesday, amounts to perhaps 700 acres of ploughable ground, supplemented by riverside meadow and woodland pasture. It had 35 adult males practising a well developed form of subsistence agriculture, with ploughed strips in the open-fields, doles in the meadow and grazing rights in the woodland pasture. They lived in a village close to or, even, within the bailey with the yard for stock, and the buildings they needed for farming, adjacent to each dwelling.

Academic debate has revolved around how and why the Open Field system of agricultural organisation was developed and came to cover the 2/3rd of England which was likely to become arable, under the plough. The evidence of the open-field system as recorded in England shows there is always a Lord of the Manor who, to fulfil his role, required, within close reach of his castle, a population of males who could produce the food to sustain the settlement and provide the military headcount when required. It is supposed that it was the Lord of the manor who then devised a system of even distribution of different strips of land drawn across a wide area so that each farmer had a chance, as near as damn it equal, of producing enough to sustain him and his dependents.

In contrast the Orwins say that the first settled farms, “were the clearings in the natural woods and waste made by communities of tillage farmers and occupied by them in large areas as cleared, without any attempt at subdivision by a process of enclosure.” They start with the speculation that the system of shared resources and land was “the natural one, and it was dictated by the need to live.” Without the harvest in due season the

community would starve. The political organisation of the people or the social status of individuals was subordinate to the need to make food. The point is that none of the studies consulted and argued by the Orwins starts with any kind of freeholder or landlord standing above and apart from the community of farmers. They simply say that the way land was allotted between man and man was due to the “action of the plough”.

It matters whether the system amounted to some form of socialist utopia or that, instead, it was a construct of the ruling class designed to keep the peasants warm and fed, because it is important to understand the motives for the co-operation which exists between the different farmers who are the occupiers of the open-fields, and tenants and gait holders of the remainder . The system cannot be perpetuated if there is no understanding about how to generate the co-operation upon which it depends. History is replete with examples of agricultural movements that were launched with an ideal of cooperation between producers but foundered after a time as one or a few gained the upper hand over the others. What is it about Laxton that it has persisted, uncorrupted for a thousand years, especially without a foundation of either religious or political belief?

Curiously, many of the best known movements which were bound, from their beginnings, by the way they produced the food which sustained the community, were founded by refugees from English enclosure and clearance. Whoever enclosed the land around Babworth and Sturton le Steeple has a lot to answer for, because, although the rights to worship dominated the argument, the right to farm to subsist might have been the original spark for many of the followers. Would the Pilgrim Fathers have emerged from an economy not hell bent on enclosure?

The critical element is the nature and style of the landlords owning the freeholds. Since the last attempt at wholesale enclosure failed in the misery of the late 19C agricultural slump and the vicar of Laxton, Mr CB Collinson, alerted the world to this anomalous survivor with an article in *Country Life* in 1906, the cement which has held it together has been the determination of the landlord.

It can be argued that the tenants have no choice. If they want that extra 20 acres of arable to be tacked onto their enclosed land it comes, but at a price of cooperation with their neighbours. But the documentary records and the oral evidence of today combines to show they do, at the same time, invest

the system with a higher purpose? Did they resist enclosure on every occasion it came close, because they would have been thrown off the land and out of their houses, or because even if they had won that lottery and had ended up with the tenancy of one of the new, enclosed farms with a homestead in the middle, it went against their belief in the comfort of a system of cooperation, which distributed rights and wealth much more evenly?

The two centuries following the choice of Laxton as the administrative centre of the region reinforced its strategic importance. A succession of royal visitors culminated in King John's retention of the village as a royal property at the start of the thirteenth century until his death, when it was passed back to the surviving member of the de Caux family. The point of this royal patronage and its role as garrison for the enforcement of forest law is that Laxton had, from the earliest times, a cash economy, generated by its administrative classes, overlaid on the subsistence agriculture practised by the village as a whole.

Today's commercial farmers specialise, and while one produces milling wheat on land with comparative advantage for it, another turns rich grassland into milk, as efficiently as possible. But, when there is no market for surplus produce, it suits every family to have access to some land suitable for cereals, some pasture for animals, some riverside meadow to sustain stock in summers and droughts and some woodland for fuel and building. Assuming that the land closest to the village had been cleared for cultivation and that there was a smaller number of plough teams than families working for subsistence, then the teams would start side by side at some convenient point. Depending on what the farmers knew about that piece of ground, they would have set out a measure for each team which would last them for a day.

On the following day they would repeat the exercise on the next door patch until the entire open-field had been ploughed in a series of strips each representing a day's work for the plough. Because the land was exploited in several different ways through the year it was important that everyone followed the same regime. One open-field was set to winter wheat and the next was sown with a spring crop like beans or barley and the third was left fallow to recover its fertility both by resting and by manuring of the animals stocked on it.

The crucial element of the open-field system which distinguishes it from other communities of small farms, each within a ring fence, is that, at all times, an absolute requirement for co-operation between all the occupiers of strips in the Open Fields and doles in the meadows. Obviously, with no permanent boundary marks between strips, there had to be strict regulation to prevent the strong, or careless, from encroaching on the vulnerable. It was important to control the access of stock to the post harvest grazing on the arable land. The growth of the manor court and the highly sophisticated body of law which went with it, although nominally managed by the lord's steward, was, in practice, consensual. The court record, which is nearly complete from 1651, shows that although there were always miscreants who had to be punished, usually with fines, the jury was voted from within the village and the court administered social, as well as agricultural, justice.

Once the church bell had rung to signal the commencement of grazing on the gleanings and stubble, there remained the hazard that each farmer's stock was mixed with the rest and that any tup or bull could cover any ewe or cow. There was no point in trying to improve the bloodlines in this lottery of horn following corn. But in Laxton when Robert Bakewell, Robert Fowler and their ilk began to advocate the use of champion sires, the tenants got the point and in 1787 the jury made a rule banishing any tups worth less than two pounds. In this case, as in so many others, the advantages of protecting the common wealth provoked action to exclude the rogues.

The adoption of this benign system of self-government covered the arable parts of the country for many good reasons. The most important of which are that it worked, by keeping populations fed, and it was flexible. Laxton is, of course, the exemplar because it is still there and has an extended set of court and other records. That there are still 480 acres of unenclosed land, which is farmed in strips and with the infrastructure of buildings, makes it unique. When England had thousands of manors with two or three open-fields farmed in strips, each would have varied from the norm driven by the characteristics of the soil, the abundance or absence of river water. For Laxton the key difference in its' DNA is the longevity gene.

How and why did it outlast the others of its type and does the answer give the clue to why it might survive for the next hundred years? The key word above is 'flexible'. From Domesday to 1635 the record is sparse and tends to come from secondary sources but in the early 17th Century the core freehold changed hands several times and one landlord, Sir William Courten,

commissioned the most outstandingly useful, illustrated map of the parish. The author, Mark Pierce, shows not only the layout of the different types of land use but fills the page with information of how things were done by the villagers of the day. The illustrations tell many stories, of pigs looking for acorns, hawks swooping on pigeons, ox teams ploughing and rich mix of scenes from the farming year. The Pierce map shows that far more had remained constant since 1086, than had changed.

The next century would, however, bring the beginnings of industrialisation in the wider world and the development of 'farming for the market'. The process of enclosure, by voluntary agreement, had already taken some of the land in the parish away from the open-field system but new ground had been brought into cultivation from woods and waste. It was then that mainstream agriculture and the open-field system began to diverge. The story of the succeeding 250 years up to the present day is of how Laxton stuck stubbornly to its ways as the rest of the world commercialised and industrialised its farm production.

Before we can assess the peculiar qualities of Laxton Farming which are of such significance that they must be preserved, it will be worth looking briefly at the history of the enclosure movement. In the Thoresby estate office records for the 20th century the record keeping for rental income and landlord's spending uses no different methods for the Laxton tenants who had open-field strips and those, elsewhere on the Pierrepont estates, who did not. From the landlord's perspective they were all tenants occupying land and were held in the same relationship. The landlord owned land and the tenants paid him rent for the right to farm it. At particular times it was in the perception of landlord and tenant alike that change was required and that usually meant that it suited both. The farmer of the land would make a better living and pay a bigger rent from having a cluster of fields surrounding the steading, all enclosed within a ring fence.

Brockilow farm is the perfect example. First enclosed in the 1720's, it amounted to 130 acres which had been assembled from 40 lands and some closes in the south of Mill field and 53 lands and some closes in South field. It was on the edge of the parish and already had its own homestead. It may be inferred that it suited everyone that land furthest from the village with the longest 'travel to work' time should be among the first to be enclosed and given its own buildings in the middle of its fields. It is pertinent to this thesis that Brockilow, eventually expanded to about 220 acres, survived as a farm,

standing alone in the hands of a succession of tenants, until two years ago, when Keith Morton retired and the house and farm buildings were rented away, incidentally, for a much higher rent than had been paid for the whole farm up to then. The land is now farmed by a contractor on behalf of the landlord, which is a Thorne family trust. The negotiations with the contractor to take it on were not straightforward. It is on a north facing slope running down to the Brockilow beck, it does not drain freely and is in a wheat and oil seed rape rotation. The gross margin, which is the surplus per acre over the variable costs of seed, fertiliser and weedkillers, but before the cost of labour, machinery and fuel are at the low end of the scale. It was frankly not a particularly attractive addition to a farm business which tries to maintain a position at the top of the efficiency ratings.

Why did its trustees not let it to another small tenant? It had after all, until ten years ago, given a living to two Mortons, Keith and his brother Brian. The truth lies in the rise and fall of agricultural fortune. When their father, George Morton, took the farm in the 1950's he farmed it during the day and worked down the pit at night. Then as the Common Agricultural Policy ensured better prices for food in the 60's through to the 90's George concentrated on the farm, which was worked by his two sons and all three earned a decent living. But the pendulum has swung back and no responsible, landlord would let to a tenant who has to provide his own capital to finance the business and who would be very hard put to earn enough both to live and to generate enough new capital to provide for a retirement house.

The Brockilow model, taken from an enclosed farm that was once part of the Laxton estate, applies to all the Laxton tenancies. The divergence from the mainstream agricultural economy is as wide now than it has ever been. Most staple foods like the wheat and the oil seed rape for which the keuper marl has comparative advantage are, in the language of economics, 'inferior goods'. As populations get richer, instead of increasing spending on flour and food oils they spend less and switch to richer, more complex foods.

The essential ingredient of a thriving Laxton which retains its open-fields, and the governance structure to keep it in shape, is that the freehold of the land, covering at least the present 1800 acres, is held by a benign landlord. A landlord moreover that is willing to invest and encourage succeeding generations of vigorous farmers to take land in, by today's norms, small amounts and to produce whatever food is demanded by a fickle and highly

regulated market. The landlord will be obliged to spend large amounts of capital on adapting the mostly late 18th century buildings to 21st century utility and comfort, all within the extremely restricting conditions which attach to refurbishment within a conservation area.

In western Europe there is no foreseeable prospect of any person making a big enough trading income from farming 170 acres of keuper marl. To give you some perspective on this, most agricultural economists would recommend one, fully equipped farm worker per one thousand arable acres. Laxton, if it is to mean anything, must have at least 14. The farmers who are recruited to the Laxton of the next 100 years will require the skills to produce three and a half tons of wheat per acre, to breed and fatten livestock at the rate of 1kg per heifer equivalent per day and that is the easy part. All farm produce is now priced in a global market. If grain is sold “off the combine” it gets the spot price of that day, in mid harvest, which may be below the cost of production. Big farmers today invest in the capacity to dry the grain as it is harvested and then to store it until they can sell it, when demand is highest. Assuming 500 acres of wheat is grown across the whole estate yielding three and a half tons per acre, then the required 1750 ton capacity dryer and store would cost over £200,000. It would solve one problem to create another, because all the product of the village open-fields and closes would be lumped together. The growers of better quality grain would have to accept the price offered to the worst. In today’s market that can mean a difference of £30 per ton. So much for corn. What about horn?

In the 20 years since Beckett published, the average dairy herd in the UK has increased from 100 cows to 180 and the investment in buildings which meet current standards of animal welfare and pollution control is taken to be around £20,000 per cow. Last month planning permission was sought for a new dairy for 8100 cows on one farm at Nocton near Lincoln.

In the wartime economy of the 1940’s, when the demand for ‘home produced’ food was high, nearly every farm in the village had a few milking cows. Today there is only one farm producing milk. Nick Gent has about 60 cows and makes sense of it, but he is dependent on a contract to sell the milk to a dairy which will collect from his tank every other day. When Dairy Farmers Great Britain Ltd declared bankruptcy two years ago many its outlying producers were unable to find a new contract, because they were located too far from the road tanker’s collecting round. It is hard to see this concentration of production into fewer and bigger hands going into reverse.

The Milk Marketing Board was created in the 1930's to protect all producers from a price war. It was privatised in the same flurry of change which saw Laxton sold by the Ministry of Agriculture to the Crown Estates. It has become increasingly difficult for any small farmer to participate in the global parts of the industry.

Land, which distributed and governed in the Laxton way, is uncompetitive on labour inputs. It is uncompetitive on yields. It has very poor access to markets because the quantities for sale are off the bottom of the scale for bargaining. In short, it is useless to compete. Laxton will lose in any confrontation with the market for large scale produce.

So what can it do?

The advantages which Laxton does have over mainstream farming are all contained in its history. It has dis-economies of scale which it can turn to profit. It has a brand name, dormant at present, which can be exploited on an international scale. For a marketing copywriter it has a richer history than any producer in the world. That's a big claim. But, when Sara Lee and Johnnie Walker are fake names invented on Madison Avenue, then Laxton is a gift. There is nothing ersatz about it now, nor has there been for a thousand years.

Its farms are the right size, and can command the individual attention from each proprietor, to enable the husbandry of unusual and threatened breeds of livestock, to recycle the cereal production through that livestock into unusual cheeses and meats and on into an enormous range of rare and interesting foods.

As the big battalions get bigger and mainstream farming becomes more industrialised and globally commercial, it leaves behind in its wake an urban population which yearns for food which it sees as more real and connected to the land from which it came. The consumer exhaustion which flows over you because this packet of biscuits was made from wheat which was grown in Canada, then milled in Spain, and baked in Cardiff before being trucked to your supermarket from a warehouse outside Glasgow, will push you to invest time and effort to find the real thing grown, made and sold by a farmer with a face, in a place like Laxton. Only 3.5% of British food is sold through what DEFRA, the Department of Environment, Food and the

Regions calls 'non-affiliated independents', 'shops' to the rest of us. Laxton can take a full share of that tiny percentage.

The big contractor now farming Brockilow used to grow 15 acres of daffodils. They produced the biggest gross margin per acre on the farm, but the business couldn't grow any bigger and was taking a disproportionate amount of management time. It was dropped from the rotation. Laxton is ready made to step into the vacuum left by the bigger farms in their constant search for size and scale.

The truth of this is can be seen any Saturday morning when Richard Aldiss who rears Longhorn cattle at Hardwick Hall near Bolsover has a queue of shoppers going right round his 19thC cow byre waiting to buy the meat he produces off the parkland, which they have driven through on the way to his door. The Hardwick farm buildings, with 3.5metre eaves, are of no use to the conventional farmer with a 300 HP tractor and a combine 5 metres high. But they suit the marketing purposes of the small, value added business. Shoppers see orphan calves being suckled onto a new mother in loose boxes floored in straw. They see ewes and lambs in the close opposite, they step inside the gable end of the old byre and select a portion of this experience to take home.

They probably say the experience is 'magic', but of course, it is less magic and more real than anything else in their world.

These rare breeds of animals and fowl and the unusual varieties of cultivated crops are not strangers to Laxton, they are part of its history. The evidence is overflowing from the nationally important Pierce map and other historical materials. The village mill closed in the early 20th century. It was powered by wind, which is suddenly back in fashion. A village can add value to the grains it produces by milling them and selling finished produce straight to the consumer. It would be easy, if the brand strength existed, to make a business case to build a new 21st century mill, designed in the style of Norman Foster, on the old site which has no electric power. More to the point it would be wholly in tune with the ways in which Laxton has adapted to the changes in the farming economy, throughout its history.

The reason why this new model of a farming community is not already in place in Laxton is that it depends on a huge investment by the landlord to get the farms and their proprietors pointing in the right direction. There are

vibrant examples of farm shops and finished product farm businesses throughout the East Midlands, but they are usually started and directed by owner-occupiers of larger farm businesses. They have often been awarded substantial capital grants from the Regional Development Agency, which are geared to matching funds that no current Laxton tenant could possibly afford.

Laxton tenants are already grasping the small scale commercial opportunities that are open to them. A recent boom in demand for livery stables has been an easy win for farms with few alternative uses for their 18th Century buildings other than to store their gardening equipment. Many offer bed and breakfast and each of the other traditional farm diversification schemes is being tried somewhere in the village, but none is either communal or capital expensive. If the village is to be transformed commercially and the open-field system is to be preserved in a way that is genuine and not simply a museum re-enactment, then the commitment of the landlord is the essential missing element.

This paper has not been a stick to beat the Crown Estates. They are liked and respected by the tenants, but they are presiding over a gradual decline which will suck the vitality, which is still there, until the undertaking, given in Parliament “to preserve”, can be set aside because the condition “while there are still tenants willing to work the strips and conform to the rules of the manor court” cannot any longer be fulfilled.

This and all the formal histories of Laxton are the story of co-operation. The spirit of working with others who have differing interests but a common aim is the spirit of Laxton. In the past the landlords cooperated with the tenants, that is why the last open-fields were not enclosed. Now the landlord needs to gather a much wider circle of cooperation. The legislators who govern what is done with land and buildings must be brought in. The Regional Development Agency, which is guardian of economic development in the East Midlands must join in, the local authority, Newark and Sherwood, which also has an economic development office, must be part of it. A dozen more can be added to the list. The one flaw in this plan is that the parties are not all subject to the manor court as in the past so the consortium needs leadership and who better than the leader which first granted Laxton its special status, The Crown.

Now is the moment when the Crown has to admit defeat or to invest in a viable and frankly, very attractive, future for this unique survivor.

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