

Annex 3

Investigation into Grange Lane Acomb to Rufforth

Bundle of Evidence

Investigation into the Status of Grange Lane – Acomb & Rufforth

Index to Bundle of Evidence

Tab	Evidence
1	Location Plans
2	2000/01 CYC investigation report
3	2003 Report by adjoining land owner's consultant
4	Acomb & Holgate Inclosure Award 1774
5	Rufforth Inclosure Map and Award 1795
6	Map of the Acomb Grange property owned by the Marwood family 1760
7	Eighteenth & Nineteenth Century Commercial Maps
8	Ordnance Survey Maps and Plans
9	Ordnance Survey Object Names Books
10	1910 Finance Act records
11	Wartime closures
12	User Evidence
13	Local History - Acomb Grange - by Jennifer Kaner
14	Highways Act 1980 Section 31 (6) deposits
15	Objections
16	Extract from Sauvain's "Highway Law"

Tab 1 – Location Plan



multimap

from Microsoft® Live Search

Map of Acomb**Nearest transport link****Your notes**

Tube:

Railway: York (1.35mi, 2.17km)

Airport: Leeds Bradford International Airport (22.64mi, 36.44km)



This is a detailed road map of the area around Accrington, Lancashire. The map shows a network of roads, with major routes highlighted in green and orange. Key roads include the A59, A19, A1036, and A64. Numerous place names are labeled, including Bury, Bolton, Rochdale, and many smaller towns and villages. A red circle highlights the town of Accrington. The map is sourced from a 2007 Tele Atlas map.

Your notes

Railway: York (1.35mi, 2.17km)

Airport: Leeds Bradford International Airport (22.64mi,
36.44km)

Tab 2 – 2000/01 CYC Investigation Report

City of York: Investigation into public path anomalies, 2000-2001

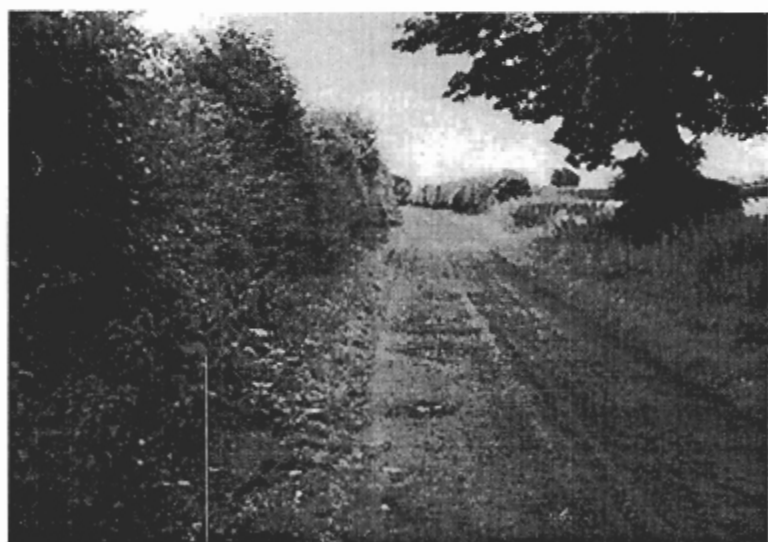
Path number: WR Anomalies WR-A10

Parish: Rufforth - Knapton

Grange Lane, historically, is quite well documented as being a public general purpose road - a minor carriageway. It is a very attractive enclosed lane running from Acomb in the east, crossing the new York bypass (A1237) at grade, serving as access to Grange Farm, and continuing westwards to the perimeter of Rufforth Airfield, where a 'diversion' takes it due north to the B1224 at New Gate Bridge.



Left: The grade-level crossing of the York bypass, looking east towards Acomb. The sight-lines for both drivers on the bypass and traffic crossing are not too bad, with the adjacent roundabout keeping speeds down a little. Local people say there was a fatality involving a local youngster here soon after the bypass was opened.



Left: Further west, looking west. This is a delightful old road and would make an excellent addition to the recreational route network.

City of York: Investigation into public path anomalies, 2000-2001

Path number: WR Anomalies WR-A10

Parish: Rufforth - Knapton

The Rufforth Inclosure Award of 1795 describes it as the 'Turnpike Road', but by examination of the York - Wetherby Turnpike Trust documents, and by tracking the depiction of the road on county series maps over 40 years, it appears that the road that is now the B1224 was either made as the original turnpike, or that the turnpike was realigned on this route at some early date.

But that is not a problem as regards the status today of Grange Lane; making a road a turnpike did not change it from private to public, or from footpath to carriage road. Turnpiking was the improvement of an existing road, so Grange Lane was presumptively already a public carriage road at that time. This is also how the road is set out in the Rufforth Inclosure Plan.

The problem lies in that part of Grange Lane at its western end, now within the perimeter of the wartime airfield. Grange Lane historically joined into what is now the B1224 somewhere around spot height 17 at GR 539512 (approx.). To be precise, Grange Lane joined into what is shown in the old county maps as a short loop of 'main road' just south of the turnpike (B1224) at this point. This loop was very probably a short length bypassed by the turnpiking procedure, but never stopped-up (there was no purpose to stopping up such, as tolls could not be dodged by using them). This 'loop' appears to have been stopped-up by the post-war Statutory Instrument (1953 SI No. 132): road to be stopped up number 1 in the schedule seems to describe the loop very closely.

The 1953 Statutory Instrument plan has now been located and shows that the portion of Grange Lane west of The Foss, i.e. inside the wartime airfield perimeter, was permanently stopped-up, rendering Grange Lane into a very long cul-de-sac. There is scope to create a link back to the B1224 (a short stretch) but this is not a pleasant road for riders, walkers and cyclists. Perhaps the best option for users is to create a bridleway link to the top end of the surviving Mossy Lane / Great Askham Road (path WR-A13) around the perimeter of the airfield and, as a quid pro quo, stop up vehicular rights on the surviving portion of Grange Lane, thus achieving a long and very valuable through bridleway route.

The 'loop' of road closed by the Minister in 1953

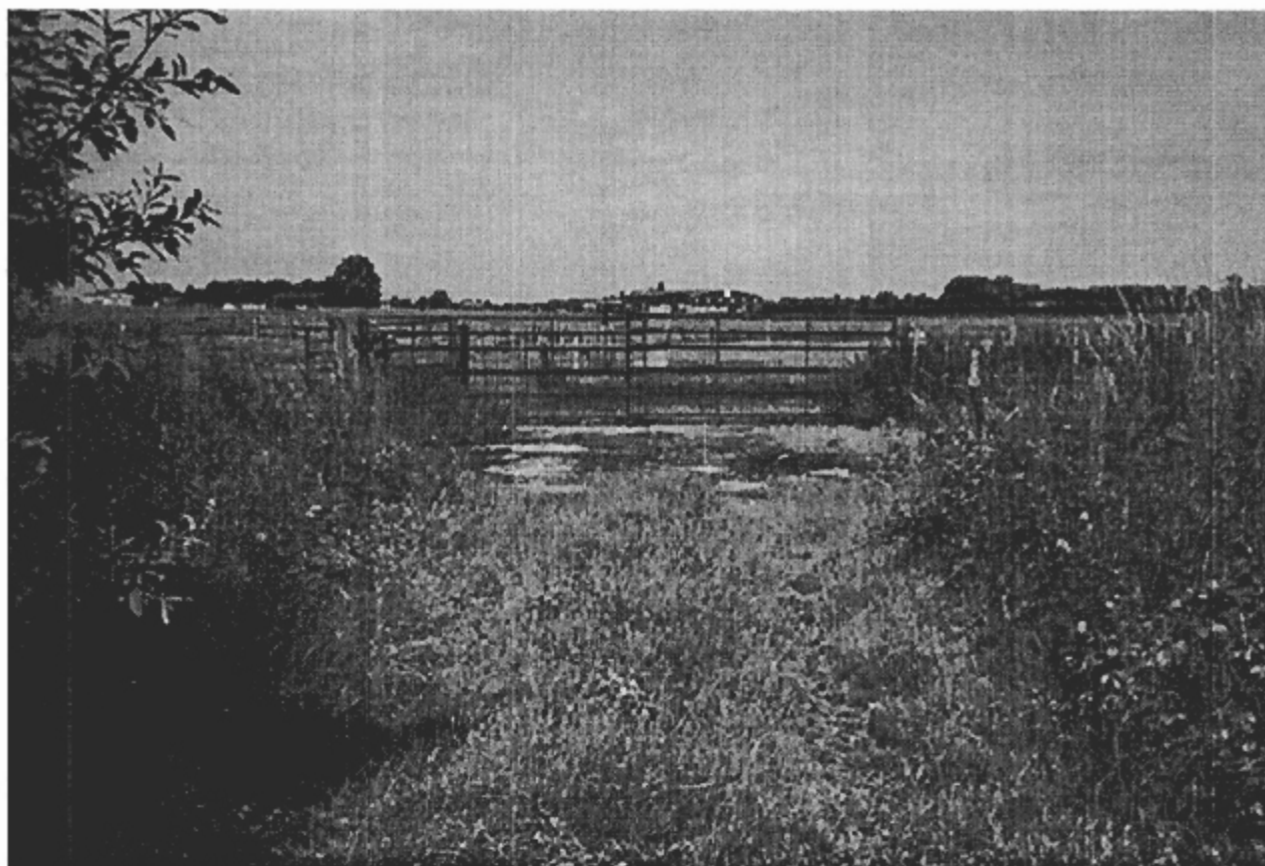


This is Gall & Inglis' Graded Road Map, circa 1910, and is a good representation of the minor road network as shown in other county series maps.

City of York: Investigation into public path anomalies, 2000-2001

Path number: WR Anomalies WR-A10

Parish: Rufforth - Knapton



Grange Lane at the point of war powers stopping up, looking on to the airfield. A link with Mossy Lane would turn south (left) somewhere near this point.

The Definitive Map Modification Process

The Statutory Origin and Evolution of DMMOs and the Duties of the Highway Authority

Definitions

Footpath	Highways Act 1980, s.328(1)	A highway over which the public have a right of way on foot only, not being a footway.
Footway	Highways Act 1980, s.328(1)	A way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only.
Bridleway	Highways Act 1980, s.328(1) Countryside Act 1968 s.30	A highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway.
Byway open to all traffic (BOAT)	Wildlife and Countryside Act 1981, s.66(1)	A right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purposes for which footpaths and bridleways are so used.
Carriageway	Highways Act 1980, s.328(1)	A way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.
Cycle Track	Highways Act 1980, s.328(1)	A way constituting or comprised in a highway, being a way over which the public have the following, but no other, rights of way, that is to say, a right of way on pedal cycles with or without a right of way on foot.
Horse	Highways Act 1980, s.328(1)	Includes pony, ass, mule, and 'horseback' is to be construed accordingly.
Public path	Wildlife and Countryside Act 1981, s.66(1)	A highway being either a footpath or bridleway.
Restricted byway	Countryside and Rights of Way Act 2000, s.48(4)	A right of way on foot ... and on horseback or leading a horse ... and for vehicles other than mechanically propelled vehicles ... with or without a right to drive animals of any description along the highway.
Road used as public path (RUPP)	National Parks and Access to the Countryside Act 1949, s.27	A highway other than a public path, used by the public mainly for the purposes for which footpaths or bridleways are so used.

Making the original definitive map

1. The definitive map and statement was introduced by the National Parks and Access to the Countryside Act 1949 as a statutory record for 'public paths' (footpaths and bridleways) and 'roads used as public paths' (RUPPs). When a way is shown in the definitive map then its existence as a public right of way is conclusive. The definitive map can be amended so that ways shown therein can be changed to another status, or removed, or additional ways can be added. There is a statutory process for all these changes.
2. The definitive map and statement is kept and maintained by the 'surveying authority' for the area. This is normally the highway authority, e.g. the county or unitary council, but may also be a national park authority. For reasons pertaining in 1949, some areas (e.g. London boroughs, county boroughs and built-up areas within counties) were excluded from the requirement to make and keep up to date a definitive map; later legislation requires that definitive maps be made for formerly excluded areas, but these are not yet exhaustive.
3. The original definitive maps and statements were made according to a procedure set down by the 1949 Act. This involved comprehensive on-the-ground surveys, usually by volunteers (e.g. members of the Open Spaces Society), or parish councils. An advisory memorandum on how to survey and record was made by the Open Spaces Society and issued under the auspices of the Ministry of Housing and Local Government¹. The data collected was made into 'draft maps', which were then made available for inspection by the general public, who could lodge notice of objection and correction². The surveying authority would then appoint a suitable person to hear these representations³ and then make a determination of the issue. Any person aggrieved by this determination could make a further representation to the Secretary of State⁴, who would appoint a further person to hear the appellant, after which the Secretary would decide the issue.
4. This making public of the draft maps served to fix a 'relevant date' for each definitive map. This is the date decided upon by the surveying authority, after which it would not accept any further evidence to add to, or amend ways shown in, the draft map. The relevant date had to be no more than six months before the publication of the press notices inviting public inspection of the draft map. This relevant date still holds for the current definitive map as regards the ways originally shown therein.

5. Once the public phase of the draft maps had taken place, a 'provisional map and statement' was made⁵. This was open to much less review and revision than the draft map; the public were not able to influence this part of the process. Essentially only owners, occupiers and landowners could go to the Crown Court to dispute only a limited number of issues about ways across their land.
6. Once the statutory time periods for recourse to the Crown Court had expired, the provisional map became conclusive⁶ of the status of the ways shown in it (including any limitations in the statement) at the relevant date. The only form of challenge now open was to the High Court on a bare point of law or procedural defect.

Reviewing the definitive map

7. The 1949 Act always envisaged – and provided for⁷ – the periodic review of the definitive map. This was to be on a five-year cycle, known as a 'quinquennial review', but scarcely a highway authority even approached this requirement. This review procedure allowed for the addition of newly discovered ways, change of status, diversion, lawful stopping-up, widening, and other changes in a very limited list. Curiously it did not allow for ways to be deleted from the definitive map, or have the status downgraded, say from bridleway to footpath, on an evidential basis. This review was to use a three-stage process: draft, provisional and definitive, corresponding to the processes used to make the definitive map originally.
8. The Countryside Act 1968 modified the review procedures⁸ by cutting out portions of the publication-objection processes, with the effect that objections to proposals (to include paths or not to include paths) went immediately to the Secretary of State, who would appoint an Inspector to hold a local inquiry to hear the issues. In this process the Inspector only reported to the Secretary of State, who made the actual decision, unlike now where the Inspector makes the decision on behalf of the Secretary.
9. The 1968 Act provisions introduced the possibility of deleting or downgrading paths on the definitive map. Essentially this could only be done if there was evidence that the landowner (or his predecessor in title) could not reasonably have produced at the relevant date of the previous survey. This was not a successful amendment. The period allowed for reviews and post-review publication of the draft map, was also tightened; this was not a success, with almost all surveying authorities failing to meet the requirements.

10. The 1968 Act also introduced the concept of 'reclassifying' RUPPs as BOAT, bridleway, or footpath. The reclassification process is covered in a companion background note to this.
11. The Wildlife and Countryside Act 1981 sought to address the almost total failure of the 1949/68 processes to cope with the number of revisions to the definitive map, with (according to Ramblers' Association figures) some 15,000 unresolved objections sitting with the Secretary of State in 1981. The keystone of the Act was to scrap the process of periodic review and substitute a 'rolling review' whereby anyone could apply for an order to modify the definitive map and, once such an order was confirmed, the map would be amended almost immediately. From now on, an order to modify the definitive map could be to upgrade, downgrade, delete, add a public path, and add a BOAT that was not formerly a RUPP.
12. The 1981 Act also amended the process of 'reclassifying' RUPPs as BOAT, bridleway, or footpath. The reclassification process is covered in a companion background note to this.
13. The 1981 Act operated to prevent any further review of the definitive map under 1949 procedures being commenced after 28th February 1983. Where reviews were already in process, the Secretary of State examined the position and directed either completion (before the 1981 procedures took over) or whole or partial abandonment. There were carry-over provisions for paths that had already gone through the process unobjected, or where there had been an objection and the matter had been determined by the Secretary of State. There is also a carry-over of objections to paths shown in the draft, or revised draft map, or to paths omitted from a revised draft map that were previously shown, where there has not been any determination by the Secretary of State, then that objection is carried-forward as an objection to any modification order subsequently made under 1981 Act provisions.
14. The Secretary of State in February 1983 made the following directions relevant to the City of York: Humberside (former East Riding) and North Yorkshire were to complete their reviews; the West Riding was to abandon its review. The City of York itself was formerly an excluded area and, at that time, no survey had been carried out, although a definitive map was now required by s.55(3) of the 1981 Act in order to accommodate any paths put thereon by a subsequent modification or legal event order.

Duties of the highway authority

15. The City of York is now subject to the general provisions of the 1981 Act as regards bringing and keeping the definitive map up to date⁹. In essence that means ensuring that all legal diversions, creations, modifications, diversions, etc., are shown in the definitive map, even where these events took place before the commencement date of the 1981 Act – 28th February 1983 – and also where these 'legal events' were confirmed by predecessor highway authorities for areas that have latterly come within York's boundary. Further, where the City of York as surveying authority 'discovers' evidence that indicates a need to modify the definitive map by adding a way, deleting a way, or changing the status of a way already shown, then the council must set in motion the process to investigate and consult the case and, if on consideration of all the evidence it appears that a change is merited according to the statutory tests, make and process the appropriate order.
16. The City of York can anticipate applications to modify the definitive map coming in a variety of forms; each must be relevant to a set of circumstances set out in s.53(3) of the Wildlife and Countryside Act 1981. The simplest circumstance is in s.53(3)(b), which is where the public have used a particular way for the statutory period¹⁰ of twenty years; this is commonplace for public footpath claims and, in an established built-up area like York, may be the best, or indeed only, way of confirming public rights on established paths.
17. S.53(3)(c)(i) overlaps with s.53(3)(b) above (admitting a user-based claim at common law), but also encompasses claims for a right of way based on documentary evidence¹¹, and where there is currently no right of way recorded in the definitive map. This section can admit user evidence claims, or a claim based on a combination of the two types of evidence. The test for the authority to apply to the evidence found is whether the way claimed 'subsists, or is reasonably alleged to subsist.' Authorities are not intended to test rigorously the evidence submitted at this stage, although full and diligent inquiries and consultation should be carried out; this is a 'gatekeeper' role, not an ultimate determinative procedure¹².
18. S.53(3)(c)(ii) is for claims where there is discovery of evidence that a right of way already shown in the definitive map 'ought to be there shown as a highway of a different description.' This admits claims for upgrading footpaths to bridleways, or downgrading a BOAT to a bridleway. It has been suggested that 'ought to be there shown' is a tougher test of evidence than 'subsists or is reasonably alleged to subsist', but there seems to be no clear guidance from the courts on this, and highway authorities and Inspectors generally seem to handle the evidential requirements of the two subsections in a level way.

19. S.53(3)(c)(iii) is for claims to delete a right of way from the definitive map on the basis that it was incorrectly shown there in the first place. Deletions consequent on legal events such as the stopping up of a path by a court should be effected by an order made under s.53(3)(a). There has been quite a lot of consideration by the courts of 'deletion' in the period since the 1981 Act procedures came into effect. At first the *Rubinstein* case¹³ ruled that deletions cannot take place, quite swiftly followed by *Burrows and Simms*¹⁴, which ruled that deletion on evidence of original mistake is possible. The Secretary of State has issued a Circular suggesting that 'cogent evidence' of a mistake is required for a deletion order to be confirmed¹⁵, and this is supported by the courts in a recent decision¹⁶.
20. So the City of York as highway authority for the definitive map is under a duty to deal rigorously and reasonably promptly with all 'discovery' of evidence that, taken as a whole and on proper investigation, suggests that the definitive map should be amended in accordance with the appropriate provision as set out in s.53(3) above. Dealing with applications for orders from the public, checking the evidence, consulting other parties, making the order, and the processes leading up to the possible confirmation of the order – including a possible public inquiry – are all explained at length in the *Public Rights of Way Good Practice Guide*, section 4. This manual is freely available and has the seal of approval of the Countryside Agency, IPROW, the CSS and the Local Government Association.

¹ Circular 81 and 91 (1950).

² S.29(1) National Parks and Access to the Countryside Act 1949.

³ S.29(3) National Parks and Access to the Countryside Act 1949.

⁴ S.29(5) National Parks and Access to the Countryside Act 1949.

⁵ S.30 National Parks and Access to the Countryside Act 1949.

⁶ S.32(1) National Parks and Access to the Countryside Act 1949.

⁷ S.33 National Parks and Access to the Countryside Act 1949.

⁸ Schedule 3, part 1, Countryside Act 1968.

⁹ S.53(2) Wildlife and Countryside Act 1981.

¹⁰ S.31(1) Highways Act 1980.

¹¹ S.32 Highways Act 1980.

¹² *R v. Secretary of State for Wales ex parte Emery* [1998] 4 All ER 367.

¹³ *Rubinstein v. Secretary of State for the Environment* (1989) 57 P&CR 111.

¹⁴ *R v. Secretary of State for the Environment ex parte Burrows and Simms* [1991] 2 QB 354.

¹⁵ Circular 18/1990.

¹⁶ *Trevelyan v. Secretary of State for Environment, Transport and the Regions* [2001] The Times 15th March.

Sources consulted

City of York Record Office	x
City of York Reference Library	x
Borthwick Institute, York	
North Yorkshire CRO	x
East Riding CRO	
[former] West Riding CRO	x
British Library Map Room	x
Public Records Office	x
Own & colleagues' archives	x

Documents checked for: x = located

Inclosure award and plan	x
1 st /2 nd Ed. OS map/book of ref'n.	x
Tithe award and plan	
Estate plan	x
Finance Act 1910 maps and books	x
Rights of Way Act 1932 records	
Quarters Sessions enrolments	
Parish records	
Turnpike trust records	x
Railway Act records	
County series maps	x
Local histories	
Case files held by CYC	
Miscellaneous	x

Notes

The Finance Act 1910 plans are in the Public Record Office, Kew.

The Rufforth Inclosure Award and Plan, 1795, is in the YCRO, but cannot be photocopied due to size and fragility.

Statutory Instrument SI 132 of 1953, including plan, is in the Public Records Office, Kew.

Tab 3 – 2003 Report by adjoining land owner's consent

Grange Lane, Rufforth Enclosure Award and Plan.

The Rufforth enclosure award and plan is lodged at York City Record Office. The award covers the greater part of the parish and includes the village centre. It is unclear whether the road system was awarded and set out by the enclosure process, realigning the ancient roads or whether the existing road system was left undisturbed. However looking at the irregular road alignments and pattern it is likely that the road network was largely left alone and only the open field selions between the roads combined and awarded into new parcels of land.

The Wetherby to York turnpike road is shown following the same alignment which its successor, the B1224 follows today although at one point it does take a more southerly curve, which later mapping shows was cut off with a short cut. This created a loop of road that was temporarily stopped up by wartime powers and permanently stopped up by statutory instrument in 1953.

The enclosure plan shows that the turnpike was clearly not on an alignment that incorporated or led to Grange Lane. However a minor road did leave the turnpike road in a south-easterly direction at a bend where the turnpike road followed the southward curve. The road left the turnpike at a point 24.5 chains (493m) west of the Foss crossing, (New Gate Bridge).

On the plan this minor road is called Rufforth Grange Road and it runs for 18 chains (362m) in a south-easterly direction before leaving the area of the award. It is significantly narrower than other roads and is shown with a line across its northern end where it abuts onto the turnpike road. This may suggest that it is gated or that it is not regarded as being a public road. Unlike other public roads on the plan no destination is given where it leaves the plan area. In the award the road is referred to as The Rufforth Grange Road and awarded as a private or occupation carriage road. A full transcription of the award is given below.

And also one other private or occupation carriage road by me called the Rufforth grange Road which if fenced off shall be of the width of twenty four feet between and exclusive of the ditches. Beginning at the turnpike road at the north east corner of an allotment made to Samuel Barlow in Spate Lane and returning from there southwards on the east side of the same allotment to and into an allotment awarded to William Marwood in the said Spate Lane and from there in its ancient course. And I do award that the same road as far as it crosses the said allotment Of the said Samuel Barlow shall until the same shall be fenced off from the residue of the said allotment be repaired by the said Samuel Barlow and afterwards in like manor as other private roads are therein awarded to be repaired.

Attached are digital images of the eastern area of the plan, and a close up showing the turnpike road and Rufforth Grange road diverging from it to the east of the allotments of Barlow and Marwood.

Mike Taylor B.A.(hons) M. Phil. M. IPROW.

Rufforth Enclosure Award Plan

This view shows the majority of the plan and it illustrates the alignment of Rufforth Grange road and the turnpike road. It is clear that the turnpike road follows an alignment that persisted to modern times and is now followed by the B 1224, save that the southern loop round the land awarded to Goodramgate Poor was cut off by a new section of road and the old loop was stopped up by statutory instrument in 1953.



Rufforth Enclosure Award Plan

Showing divergence of Rufforth Grange Road from the Turnpike Road which is on the alignment of the modern B 1224.



Tab 4 – Acomb and Holgate Inclosure Award 1774

Transcript extract of the Acomb & Holgate Inclosure Award 1774

The Acomb & Holgate Inclosure Award of 1774 sets out the "Rufforth Road":

"We do also determine and award that there shall be one other public highway or road of the breadth of sixty feet at the least between and exclusive of the ditches as and where the same is now staked or set out and herein called the Rufforth Road leading from the Wetherby Road southwards at the north corner of an allotment hereby awarded for a sand pit in the (??) and across same ? to an ancient (??) from there southwards over part of the chapel fields to the west end of the town street of Acomb and from there westwards through and over the said chapel field to the ancient gate leading into the township of Rufforth."

Note

Unfortunately a map to accompany the Award has not been discovered, however, by reference to the Ordnance Survey Maps for the area, it has been possible to confirm that the road described within the Award as the "Rufforth Road" is in fact Grange Lane.

Tab 5 – Rufforth Inclosure Map and Award 1795

Transcript Extract from the Rufforth Inclosure and Award 1795

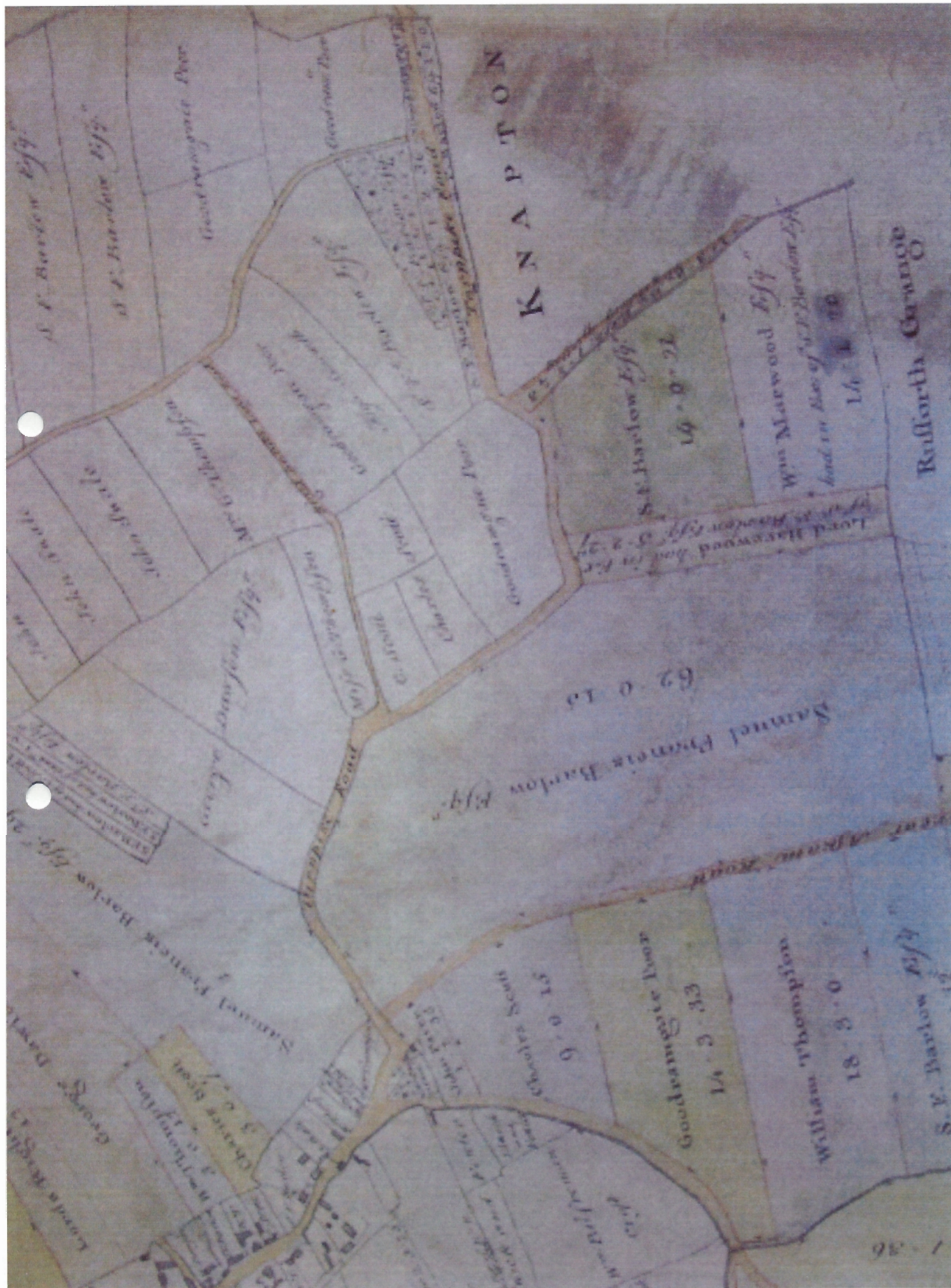
The Rufforth Inclosure Award of 1795 sets out the "Rufforth Grange Road", which is the section of Grange Lane which would have crossed the Rufforth Airfield as:

"And also one other private or occupation carriage road by me called the Rufforth Grange Road which if fenced off shall be of the width of twenty four feet between and exclusive of the ditches. Beginning at the Turnpike Road at the north east corner of an allotment made to John Barlow in Spate Lane returning there southwards on the east side of the same allotment to and into an allotment awarded to William Marwood in the said Spate Lane and from there in its ancient course.

And I do award that the same road as far as it crosses the said allotment of the said Samuel Barlow shall until the same shall be fenced off from the residue of the said allotment be repaired by the said Samuel Barlow and afterwards in like manner as other private roads are herein awarded to be repaired."

In respect of the future maintenance of the private roads the Award also states:

"I do award that all the said public carriage roads and private occupation carriage roads hereinbefore by me awarded shall made and forever hereafter repaired supported and maintained by and at the expense of the inhabitants and occupiers of hereditaments in the township of Rufforth aforesaid in the manner and with the like exemptions from contributing to repair as the public highways of the said township are or ought to be by law repaired and maintained."



KNAPPERTON

Rufforth Grange

Samuel Francis Barlow Esq.

Wm Marwood Esq.

S. F. Barlow Esq.

Lord Haverwood had in fee

Goodramgie Park

William Thompson

S. F. Barlow Esq.

S. F. Barlow Esq.

S. F. Barlow Esq.

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Goodramgie Park

Samuel Francis Barlow Esq.

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith

Charles Smith



KNAPPERTON

Goodramgate Poor

S.E. Barlow Esq.

Wm Marwood Esq.

14 0 27

Barlow Esq. 5 2 27

Scott

arles

Goodramgate Poor

Goodramgate Poor

Goodramgate Poor

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

S.E. Barlow Esq.

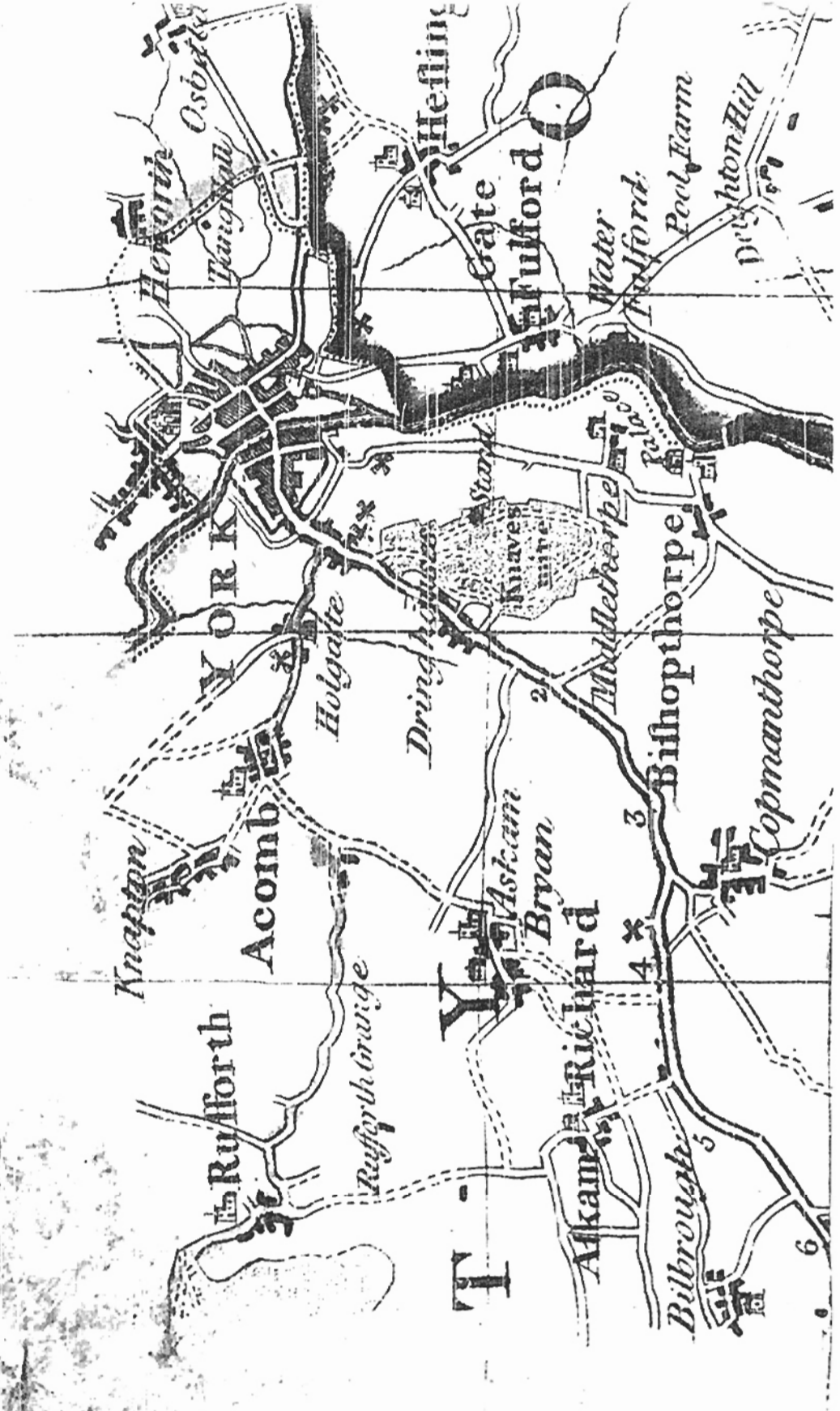
S.E. Barlow Esq.

S.E. Barlow Esq.

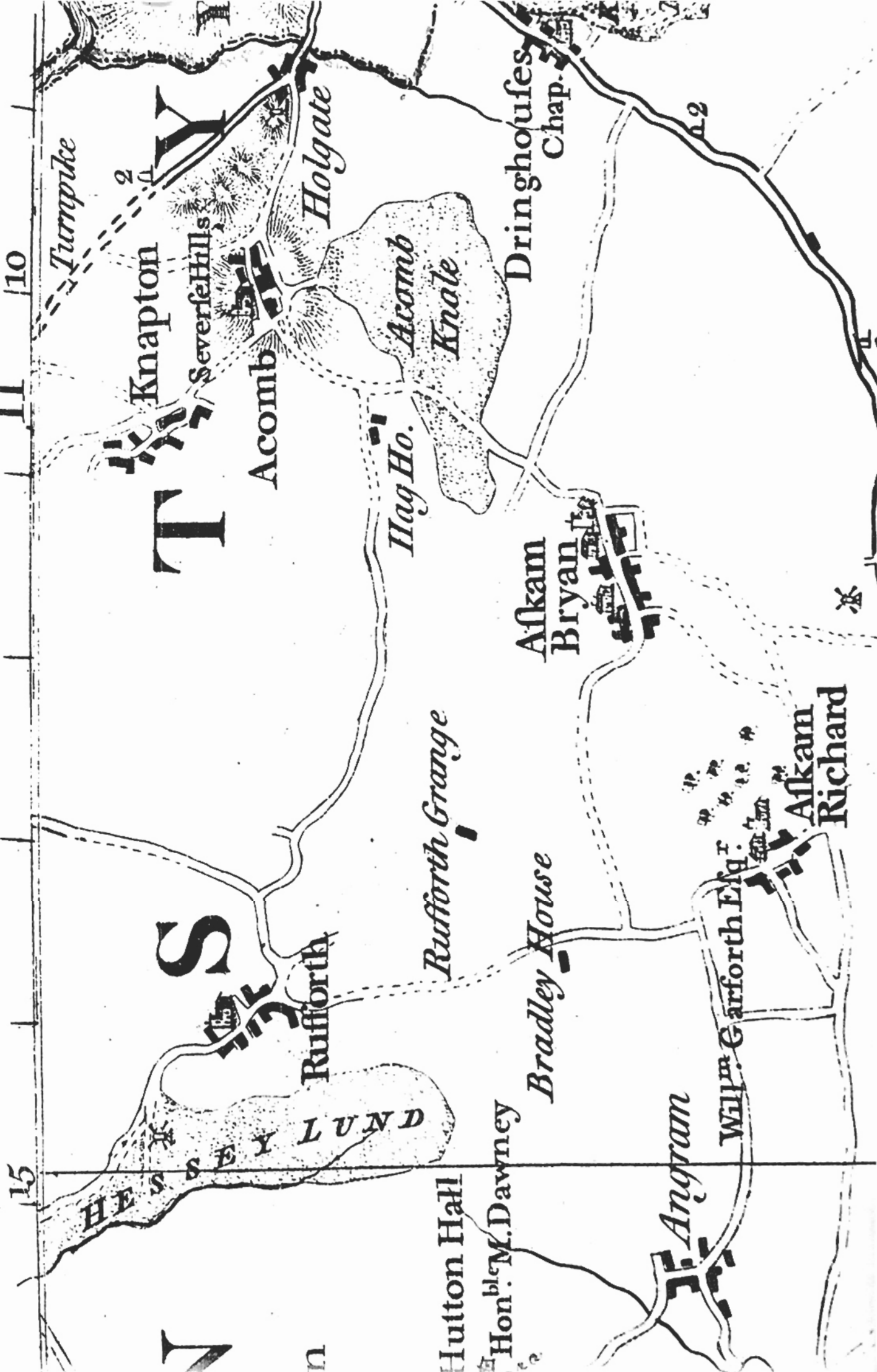
S.E. Barlow Esq.

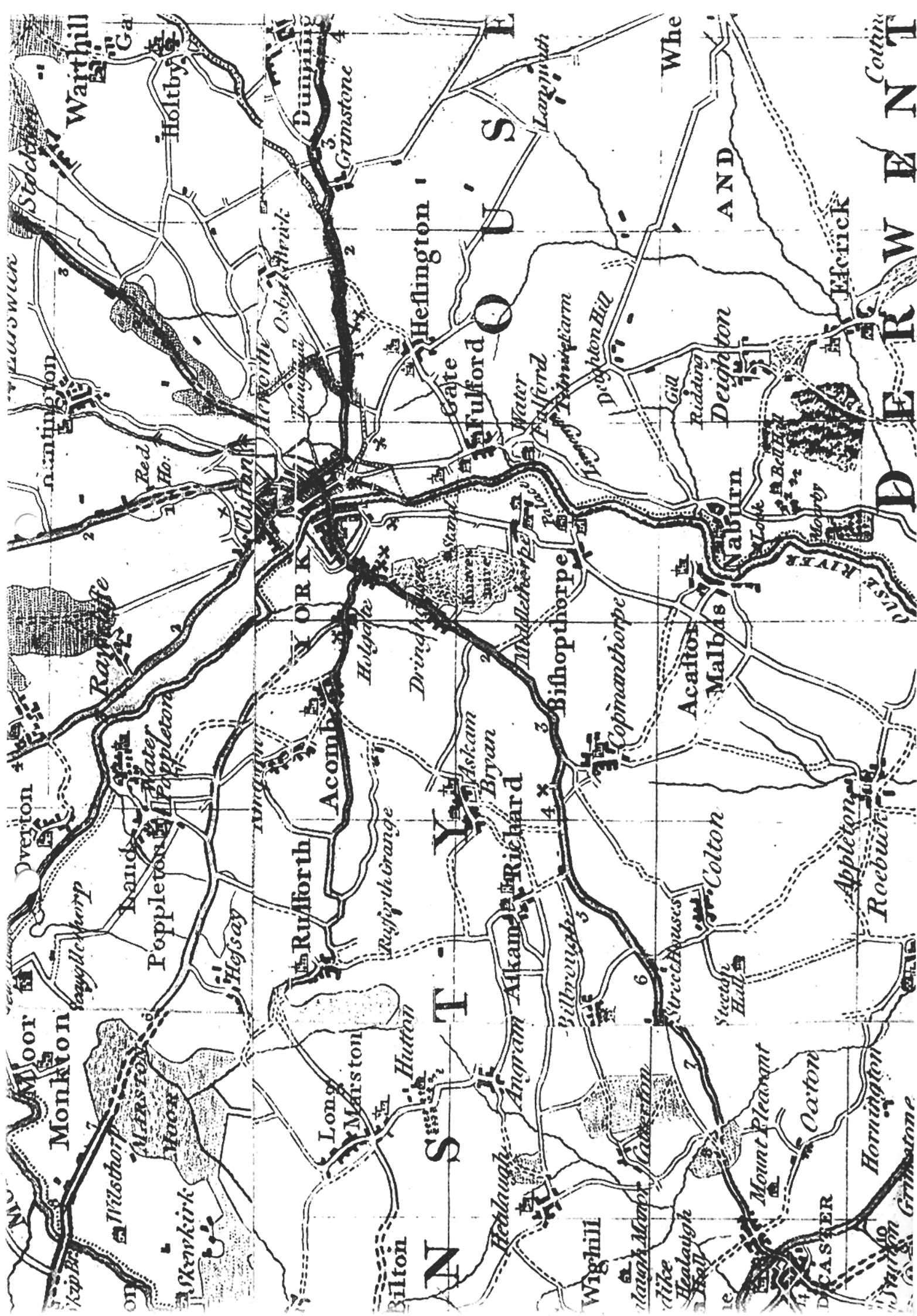
**Tab 6 – Map of the Acomb Grange
property owned by the Marwood family
1760**

Tab 7 – Eighteenth and Nineteenth century Commercial Maps



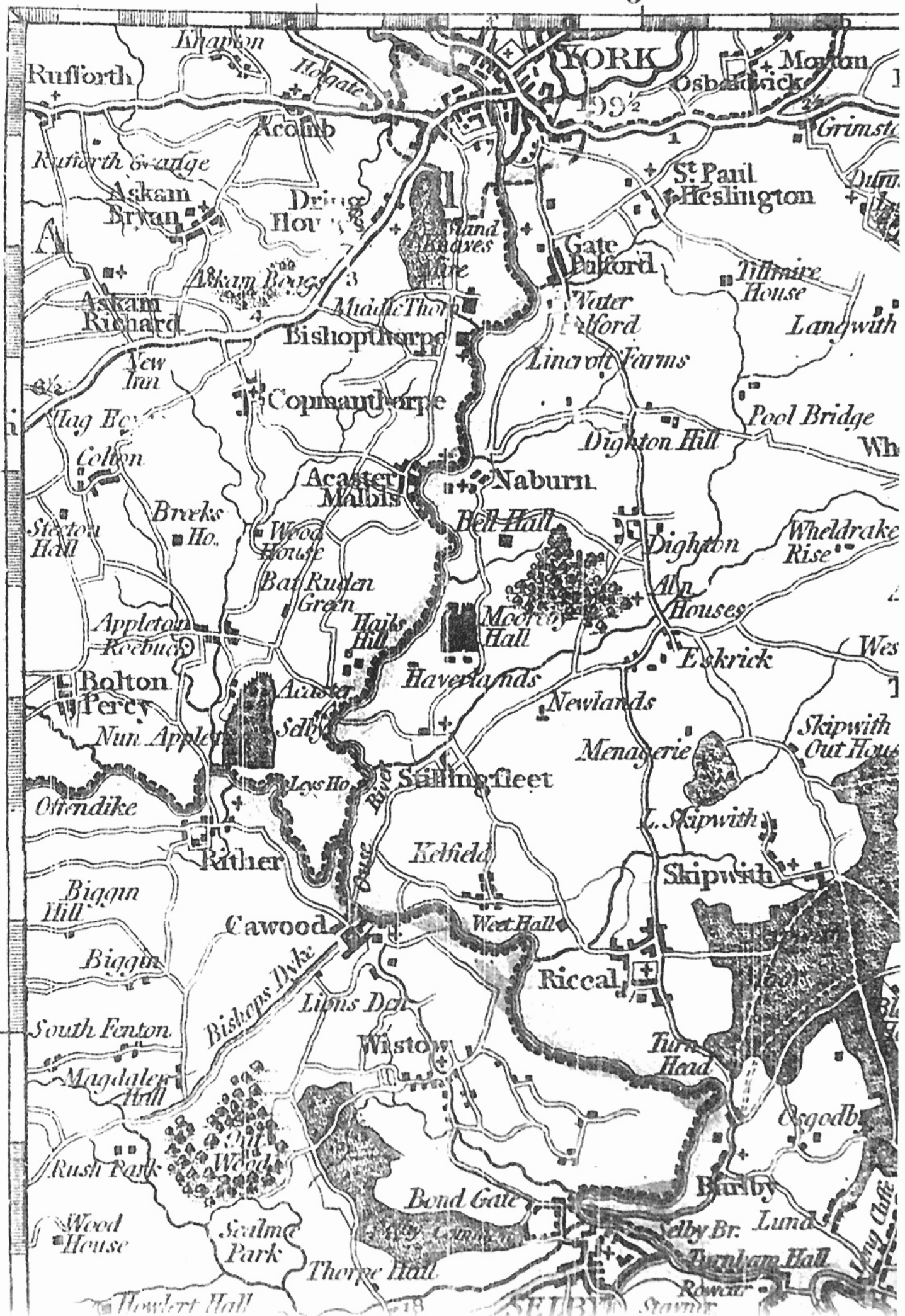
ELBY, SHERBURN, SNAITH, TADCASTER, WAKEFIELD

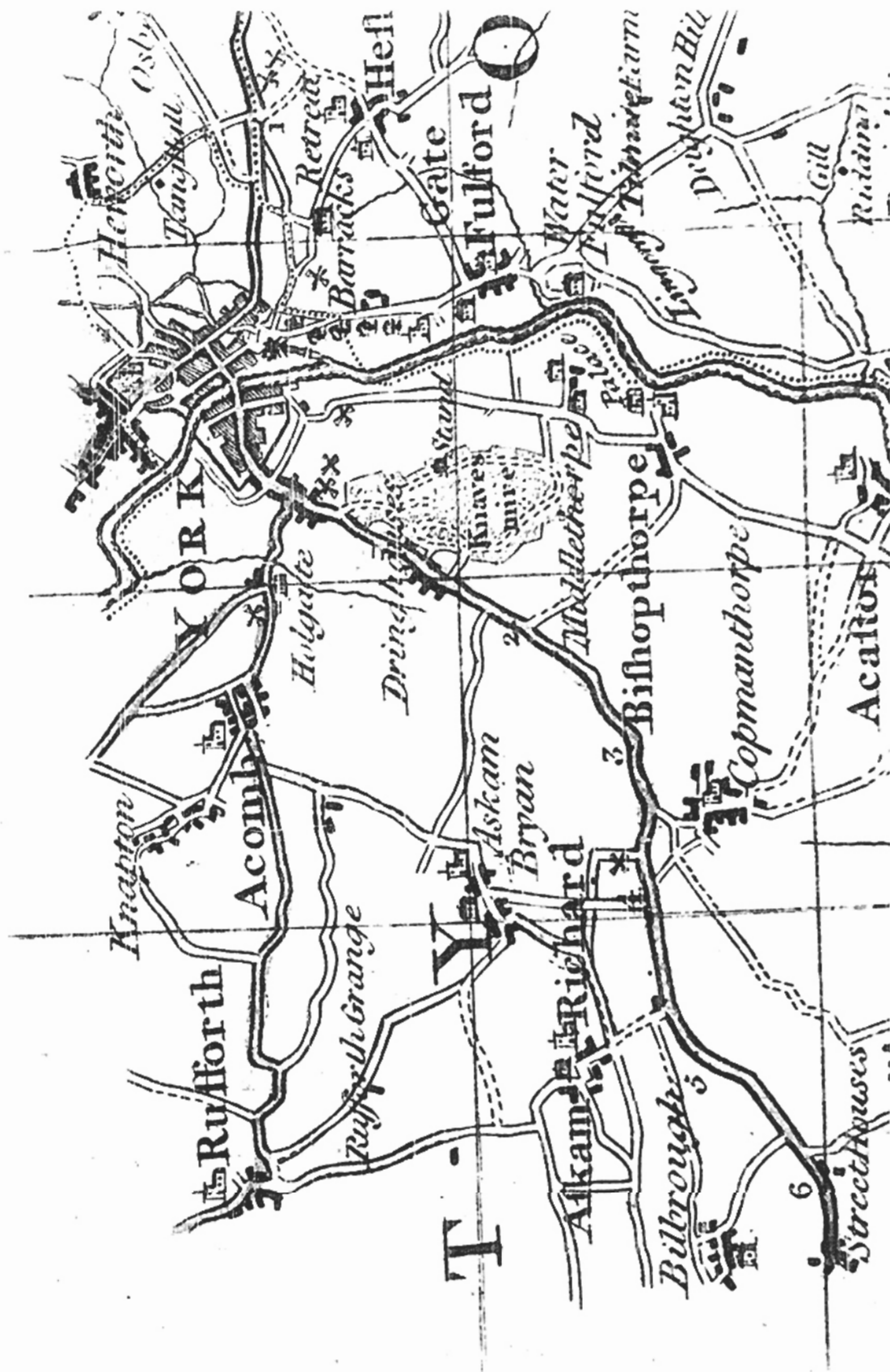


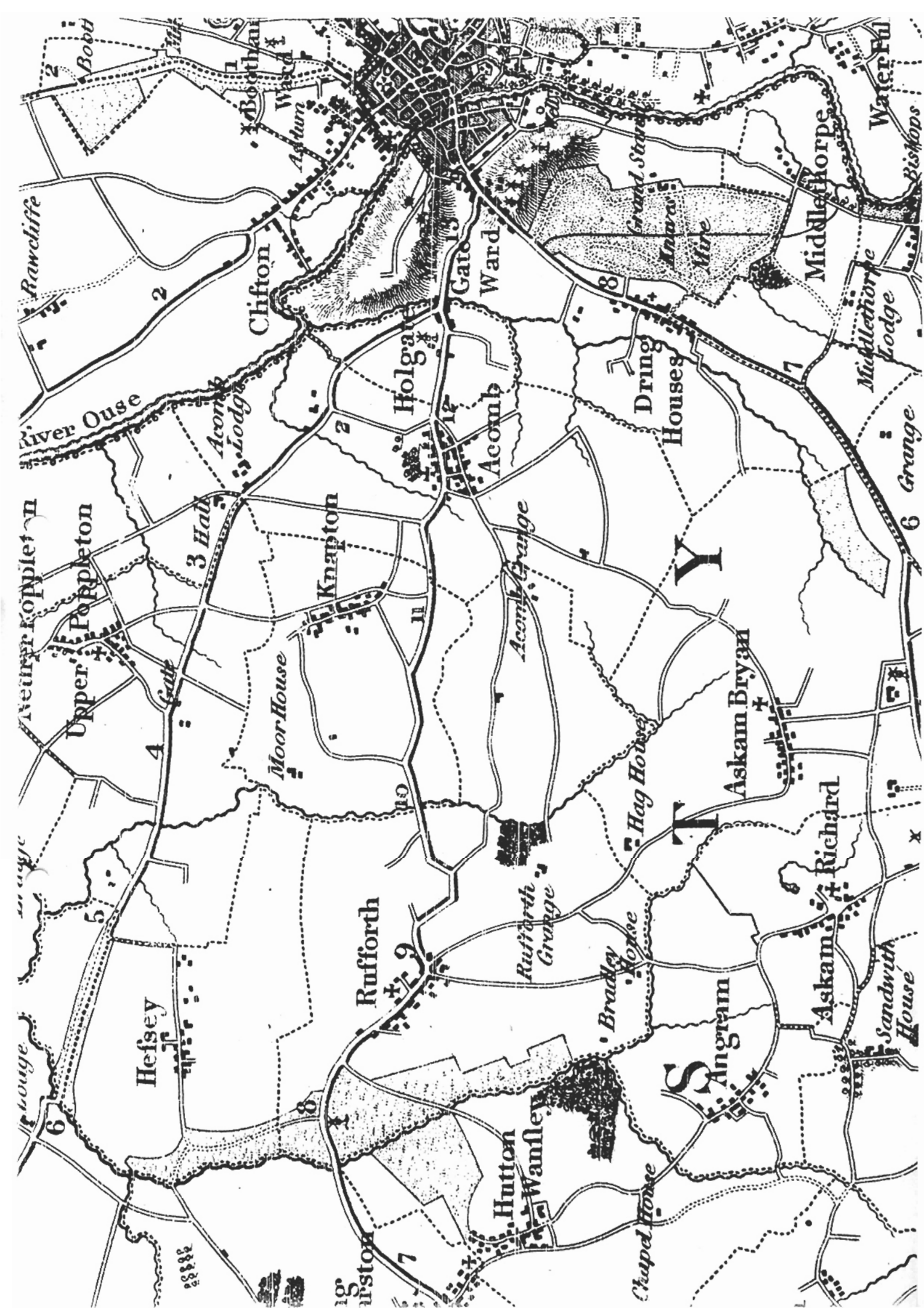


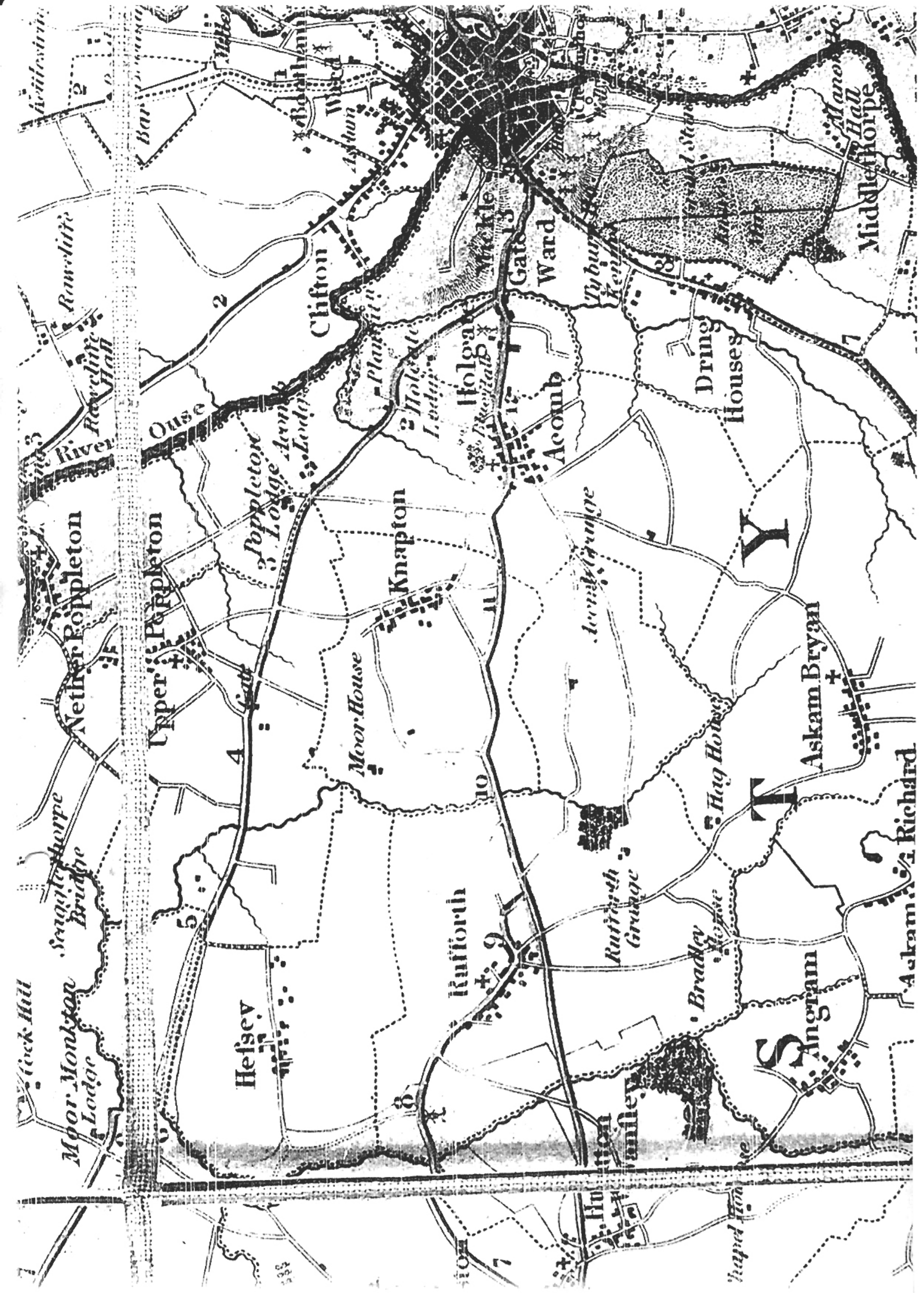
55

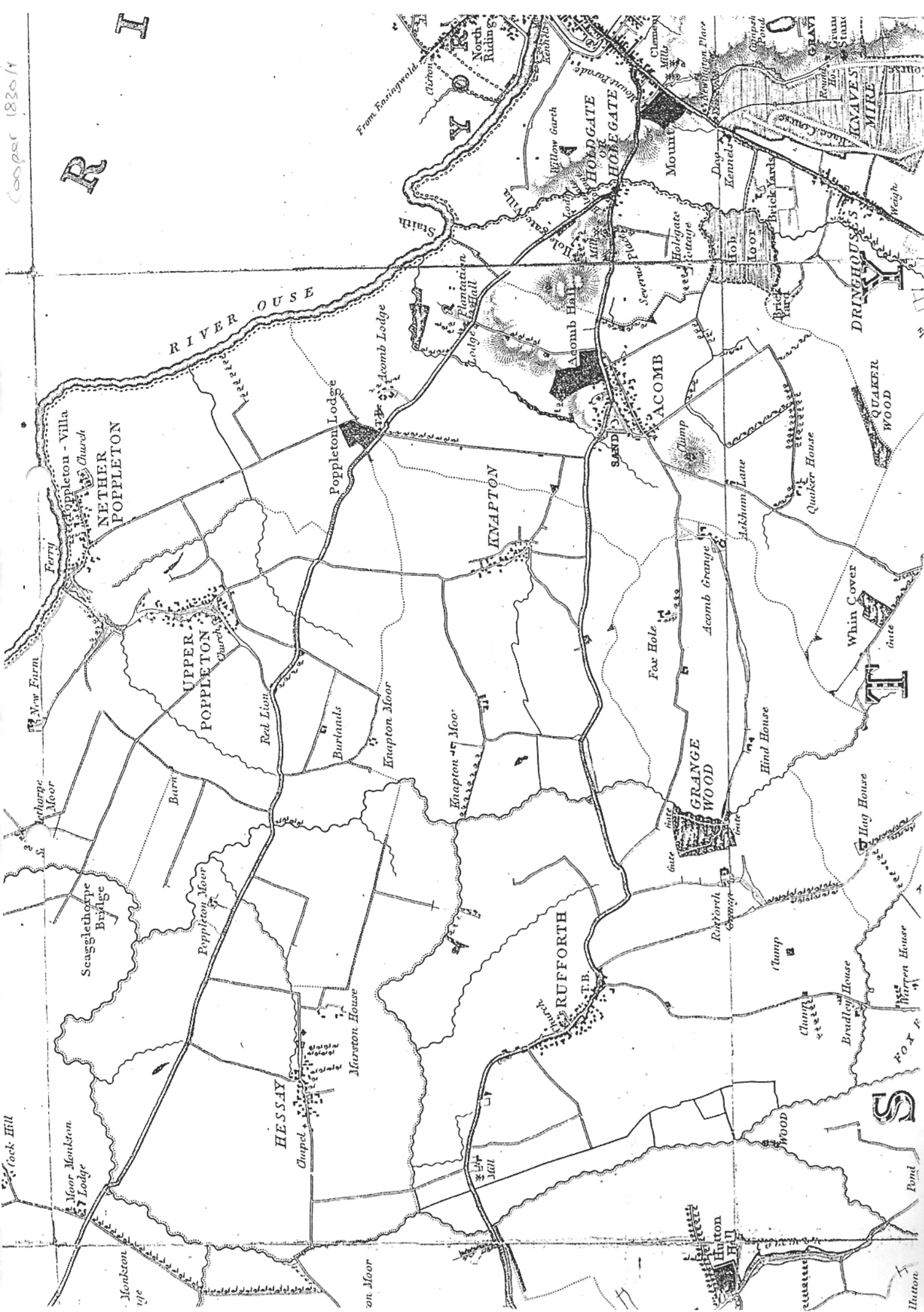
50







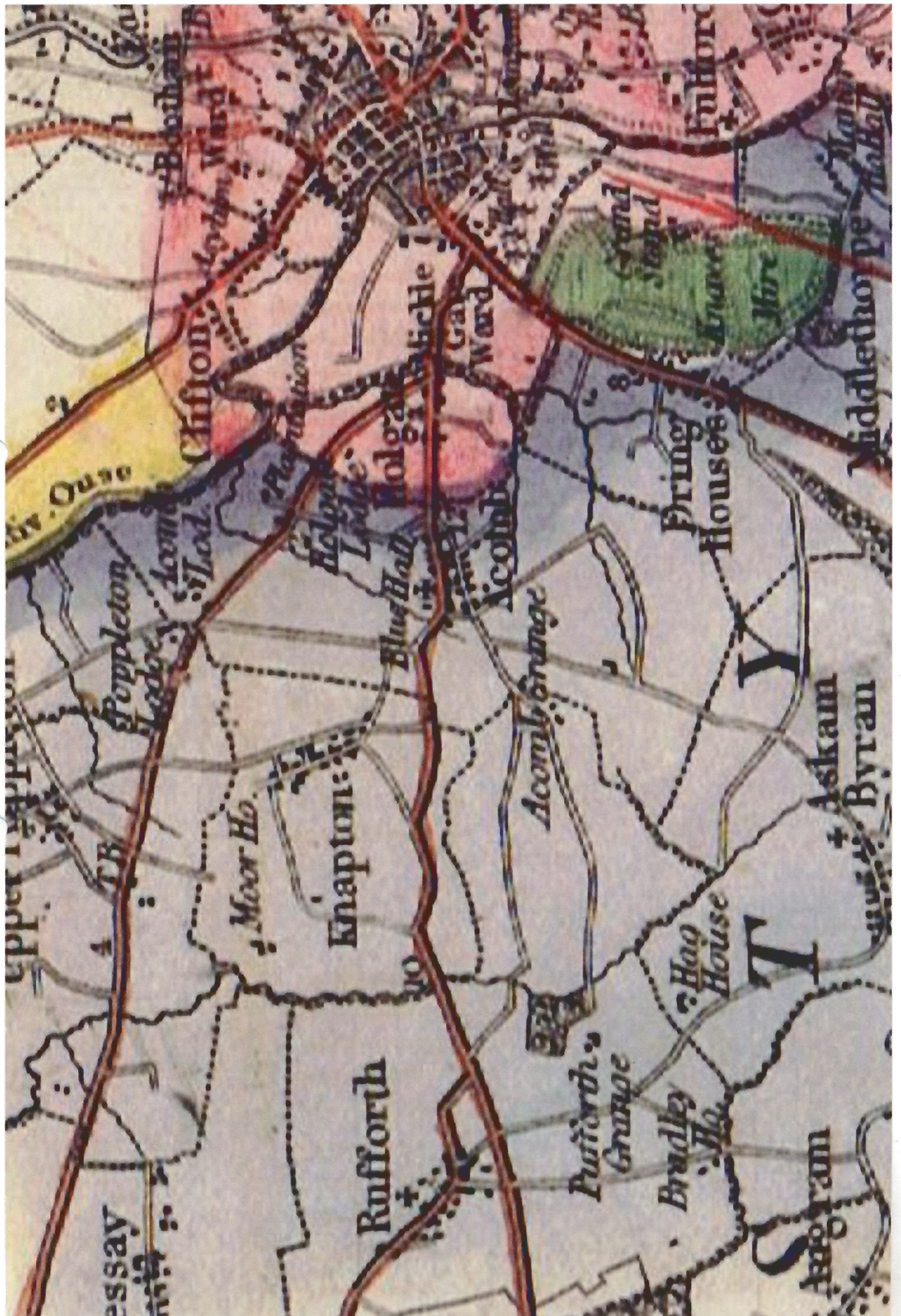


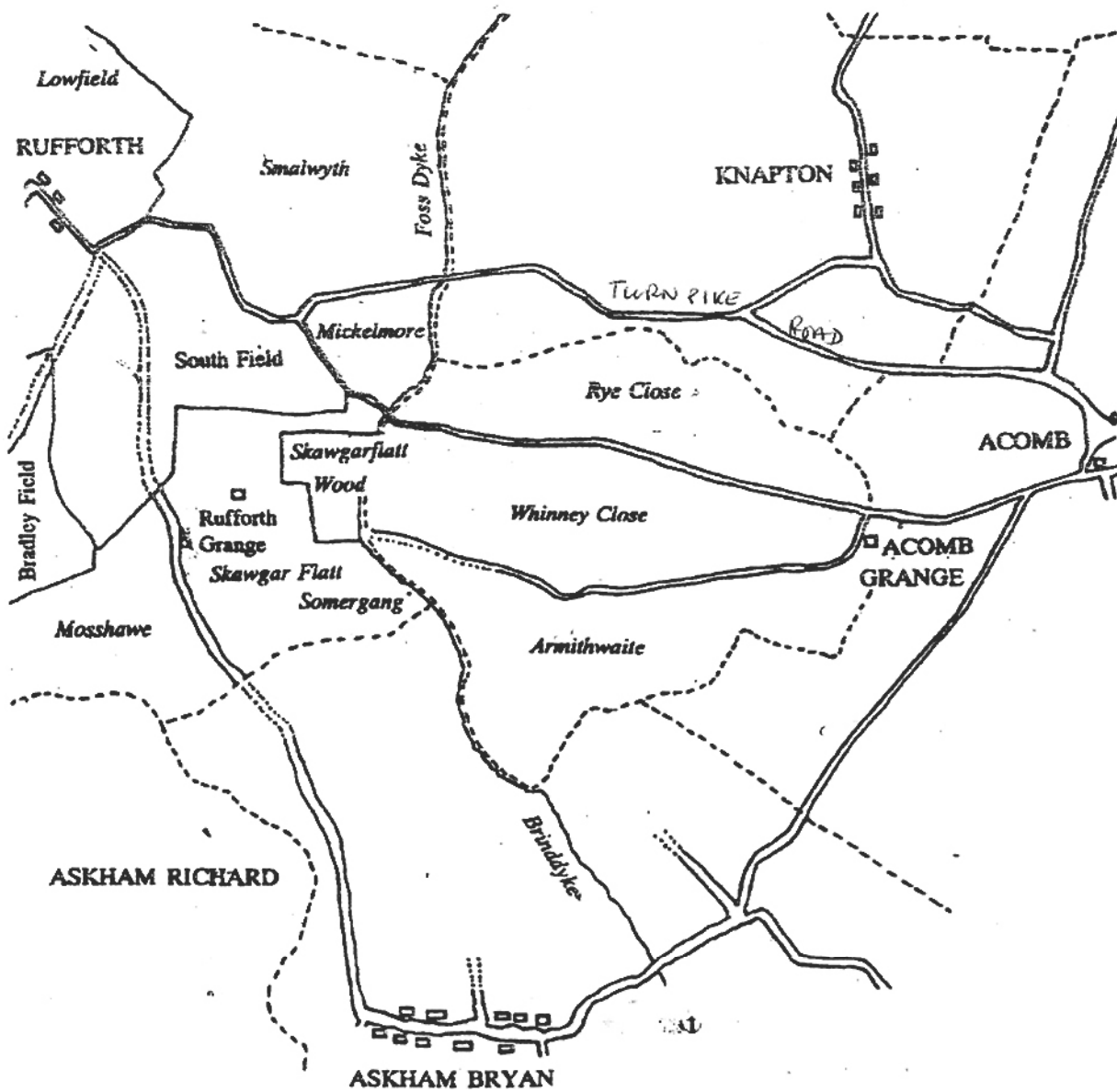


EXPLANATION.

Churches & Chapels	+	+
Castles & Priories	■	+
Houses		⬢
Water Mills		○
Wind Mills		✕
Woods & Plantations		⬢
Heaths & Commons		⬢
Rivers & Brooks		⬢
Navigable Canals		⬢
Rail Roads		⬢
Turnpike Roads		⬢
Cross Roads		⬢
Boroughs that send Members to Parliament		⬢
Boundaries of Counties		⬢
Boundaries of Ridings		⬢
Boundaries of Wapentakes		⬢
Boundaries of the Honor of Pontefract and Manor of Wakefield		⬢
Boundaries of Townships & Parishes		⬢
Hills & Rising Grounds		⬢
Market Towns in Roman Capitals as		MIDDLEHAM
Parishes & Townships in small Roman as		MILNERTON
Villages Hamlets & other Places in small Italics as		WILKINS
The Clothing District		⬢







Map 2

Map of the area round Acomb Grange showing place names. Based on W. White's map of the 1780s. Italics indicate identifications that are uncertain.

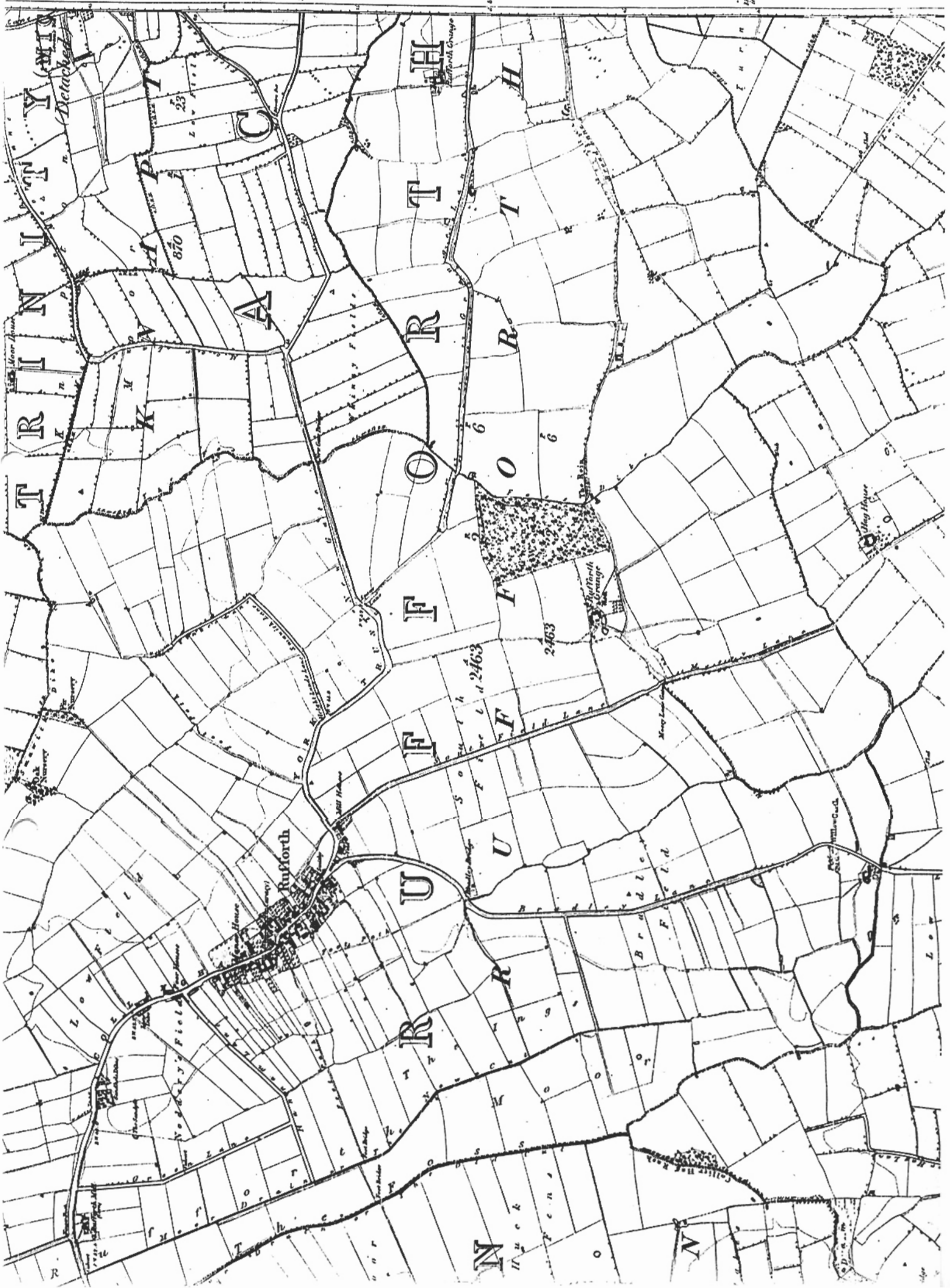
Tab 8 – Ordnance Survey Maps and Plans

Area of
TENTH
164 1/2 A
in March 1711

Area of
ACOM 3
164 1/2 A
in March 1711

174
20 Acres

Area of
ACOM 3
164 1/2 A
in March 1711



AC

173

From Rufforth

2047

R
I

P
5

Chapel

Field

A

C

Area of
RUFFORTH

2463 2 6

in Sheets 173, 174.

53° 57'

Area of
RUFFORTH

2463 2 6

in Sheets 173, 174.

Sand Pit

Acomb
Grange

Sand Pit

175

Grange Lane

West Field

Sand Pit

Poplar
Grove

Gale Lane Bridge

Gale Lane

Little

A

C

m

b

M

M

i

r

e

M

o

r

Direction Post
Gravel Hill
of Little Knoll

The York & Ainsty
Kennels

Acomb Moor
House

Great
Knoll

Turn

Acomb Lane

Acomb Moor

Moor

Lane

O

M

COLLINGHAM

Direction Post

St Stephen

Town

Field House

Direction Post

1580

R
O

Bachelor
Hill

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

50

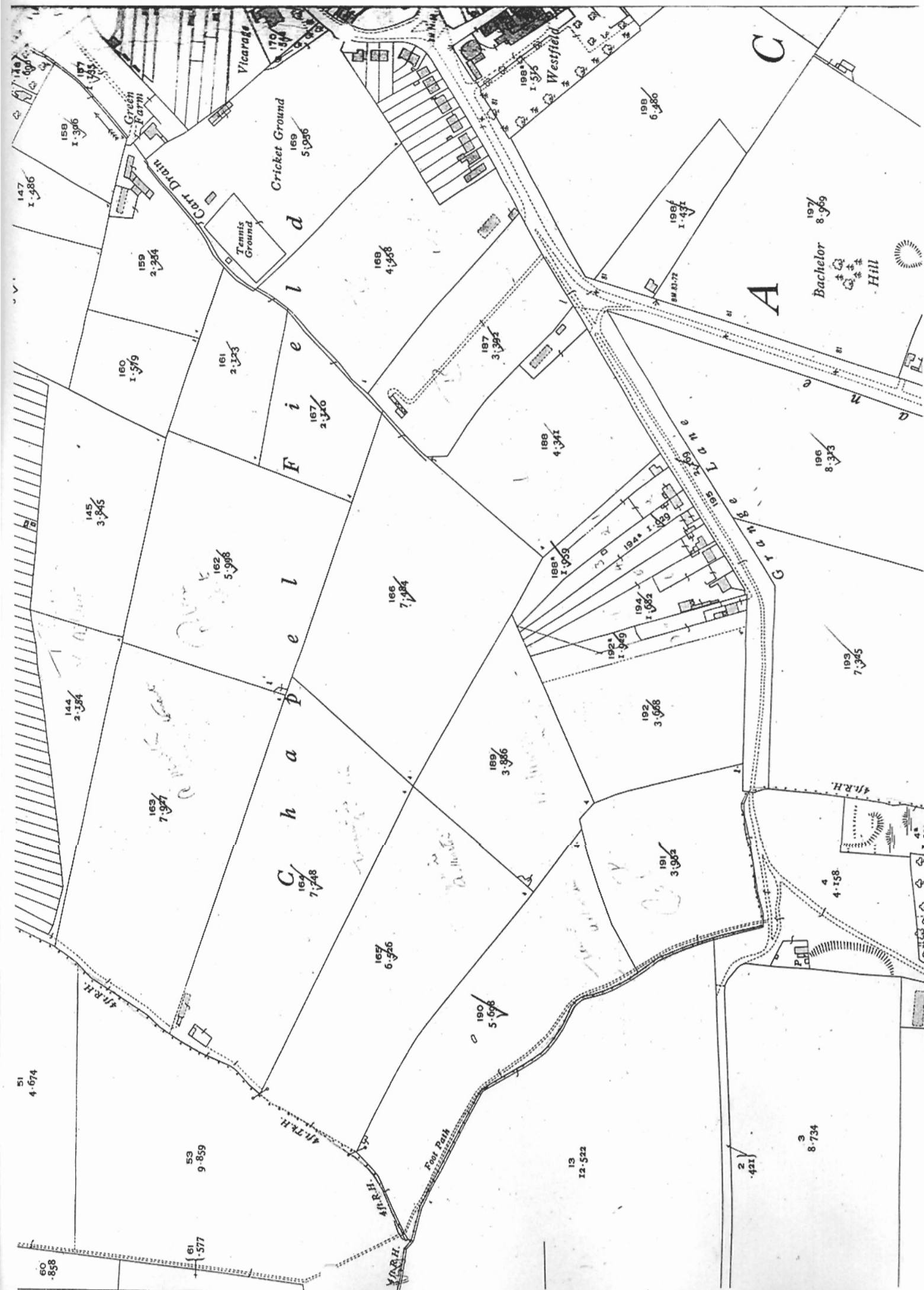
50

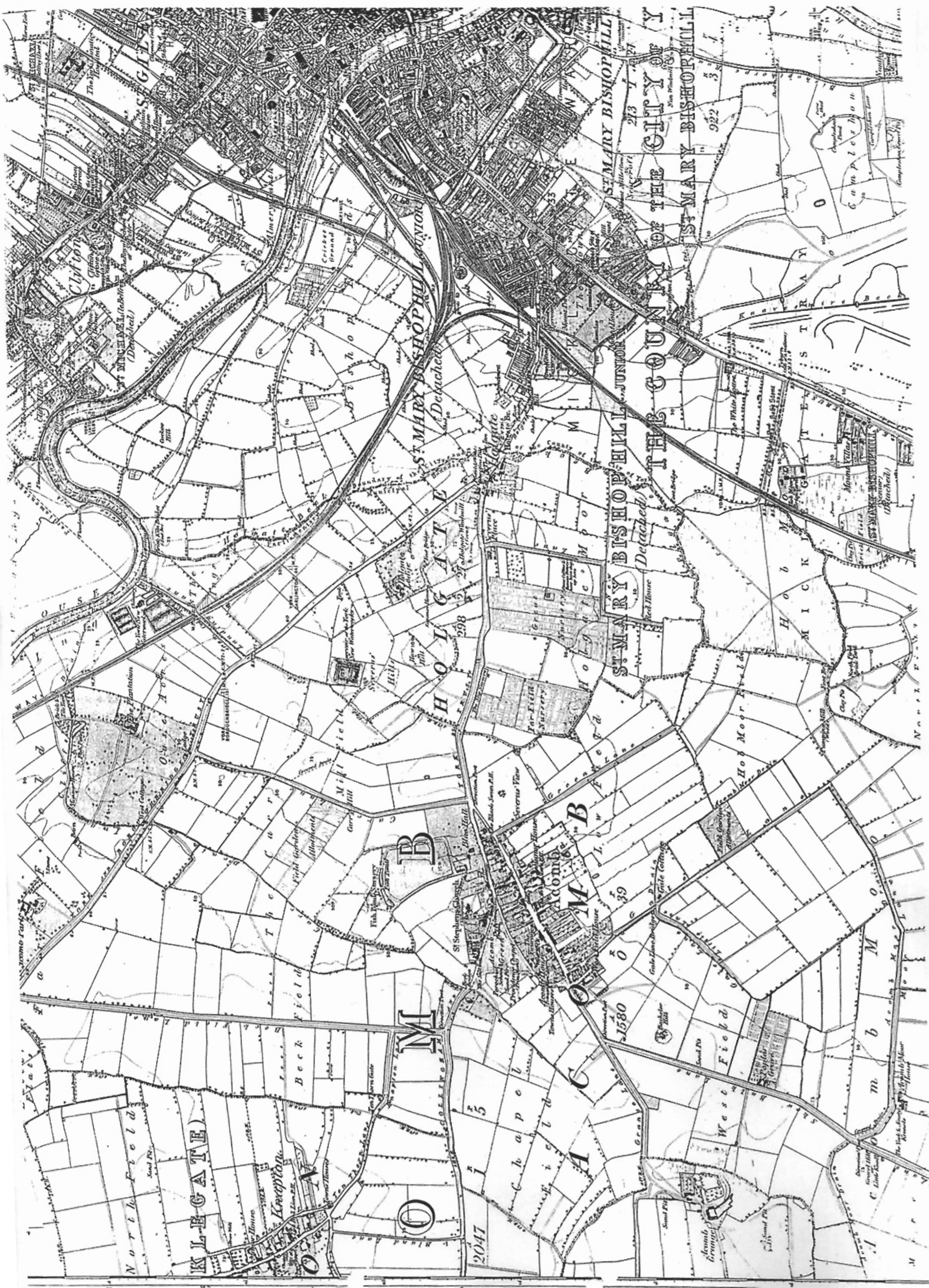
50

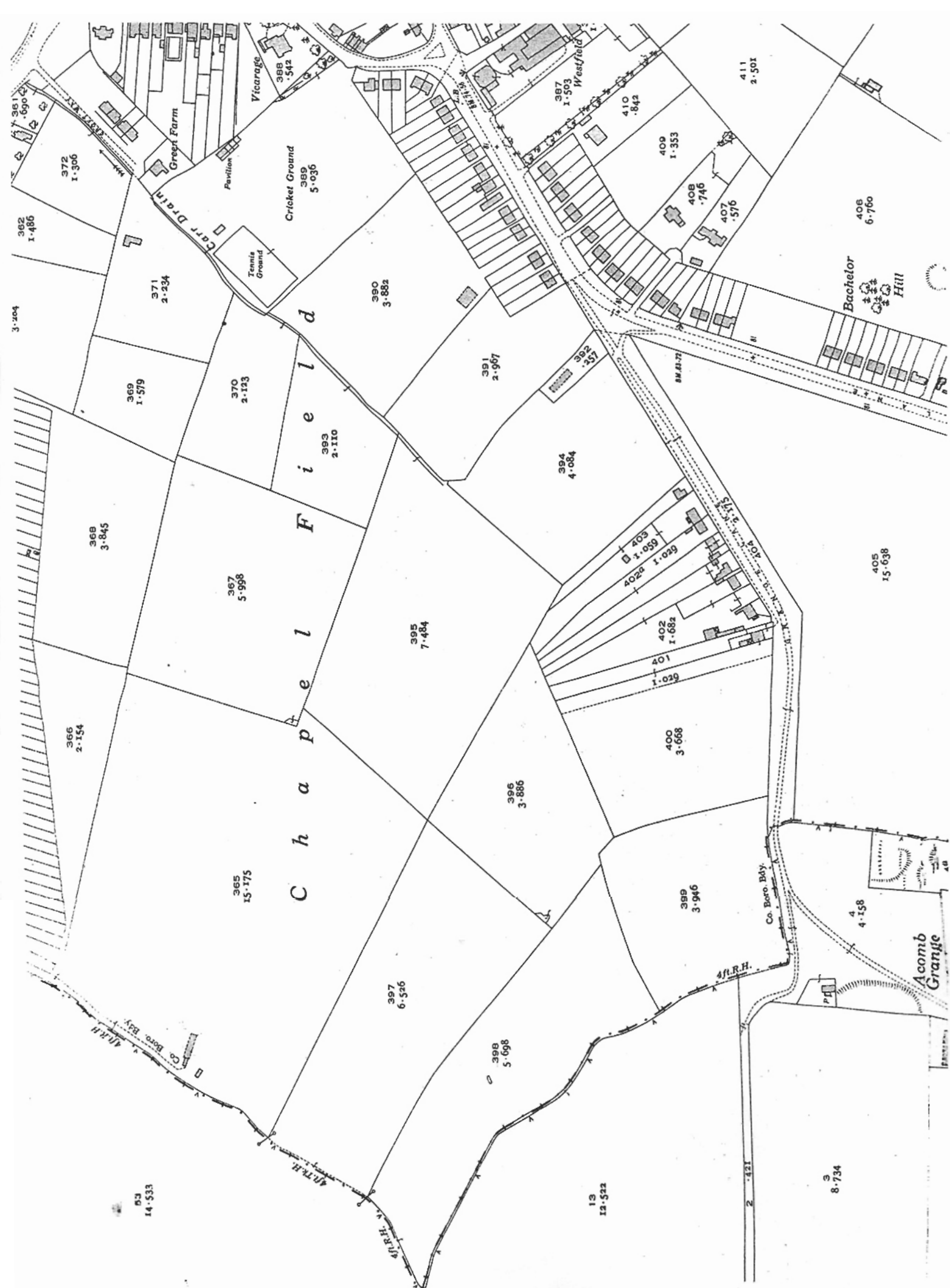
50

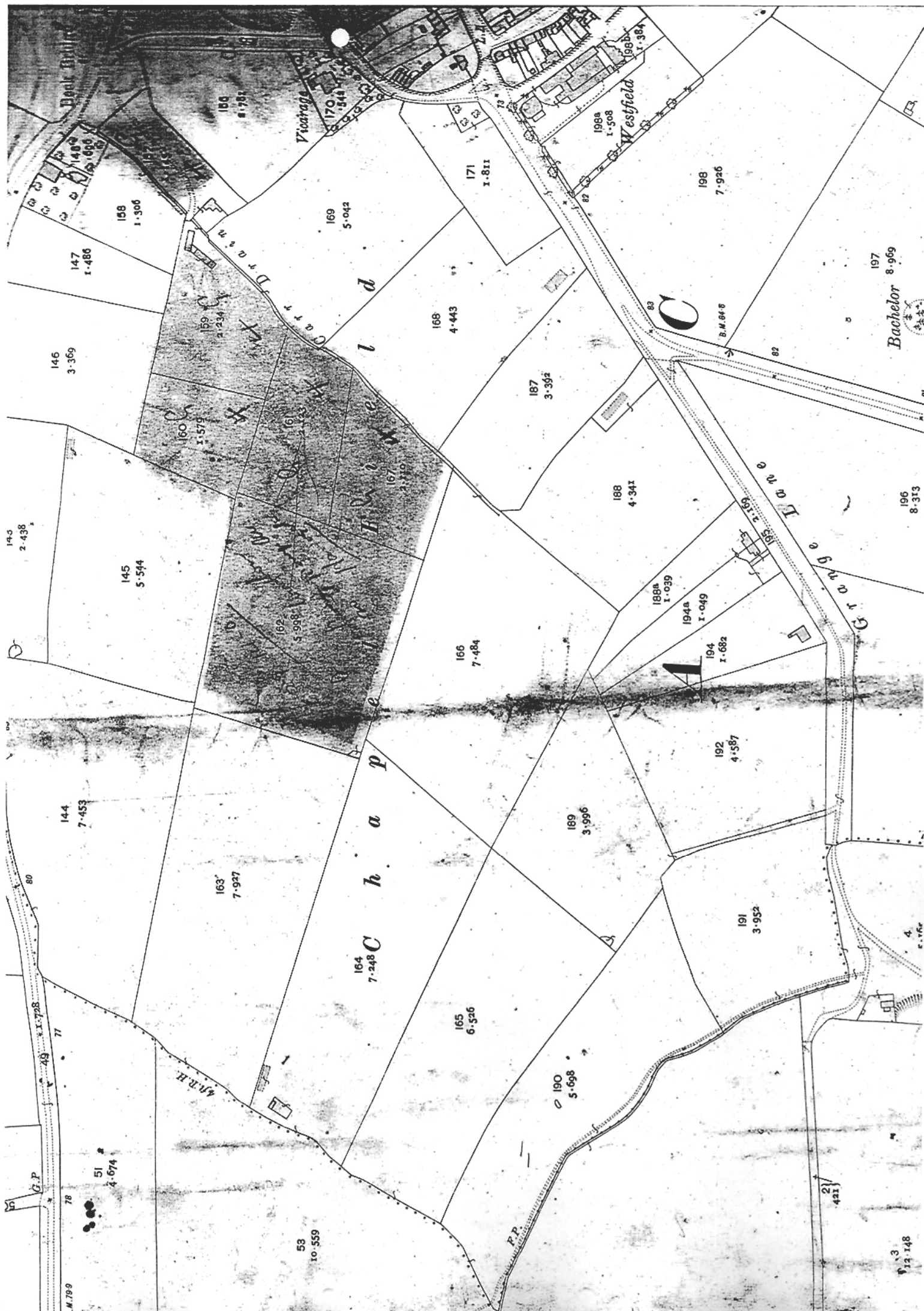
50

50









Tab 9 – Ordnance Survey Object Names Book

~~2500~~

2ND REVISION

10th

NAME Book

SHEET 173 SE Plans 11.12.15
16.

YORKSHIRE

Yorks 173

SE

Names collected, about 1890, by J. S. Wilson
 Name of place as at present & indicated in list by J. S. Wilson
 May 1910

List of Names as written on the Flag	Various modes of spelling the same Names	Authority for these modes of Spelling	Situation			Descriptive Remarks, or other General Observations which may be considered of Interest	List of Names as written on the Flag
			Spelling	Place	Time		
<i>The River</i>	<i>The Pass</i>	<i>No. 9 Parker's Reports See G. S. Sec. of 1890</i>	1890	1890	1890	<i>The center of the Pass is commencing about 1 mile S. of Bridley House flows in a S. direction and passes the lake about 1/2 mile N. W. of New House.</i>	<i>The River</i>
<i>Whinny Falls</i>	<i>Whinny Falls</i>	<i>As above See G. S. Sec. of 1890</i>	1890	1890	1890	<i>At foot of junction and creek head about 1/2 mile S. of 1st Falls Bridge Probably of 1890. Whinny Falls is a frequent cry called after Whinny.</i>	<i>The River</i>
<i>Change Lake</i>	<i>Change Lake</i>	<i>As above See G. S. Sec. of 1890</i>	1890	1890	1890	<i>It has commenced about 1/2 mile S. of 1st Falls Bridge and extending to about 1/2 mile S. of the bridge there is a small stream of water.</i>	<i>The River</i>
<i>Map Lake</i>	<i>Map Lake</i>	<i>As above See G. S. Sec. of 1890</i>	1890	1890	1890	<i>It is a small stream about 1/2 mile S. of the 1st Falls Bridge which is a small high field there about 1/2 mile S. of the same.</i>	<i>The River</i>

Property of J. C. Knight
 2nd Regt. N.Y. State Militia
 1862
 I have purchased about 40 shares
 of the Little Bridge and wharf
 at about 1 share for 10¢ of the
 share to the 10 and 10¢ share of the

See to 3 300 of 175 12

George Lane

do above

See 6 8 400 of 175 12

0535/7392
~~1~~ 2500

NAME BOOK

SHEET 174 S.W. P/A9

YORKSHIRE

YORKS 174 S W

Chapel Field.

(27)

Grange Lane

(27)

Grange Lane

(27)

Grange Lane

(27)

As above

24

5.

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

"

24

50

"

General Observations	Descriptive notes			List of Names as written on
	Sheet	Plan	Trace	
which may be considered of Interest				
Acorn	1/4 9	9	1/2 2	Acorn, starting 20 chains SW of Vicarage and flowing in a NE direction to Plantation College.
"	"	"	"	A district of waste & pasture land, on N side of Grange Lane, and 20 chains W of Acorn.
"	"	5a 7	"	The property of various owners Mrs. Burton, Skipton.
"	"	5a 5	"	Acorn
"	"	"	"	A lane extending from junction of Acorn to 20 chains W of Acorn to an end 10 chains NE of Acorn.
"	"	5a 10	"	Grange.
1/4 9	2	13	13	A bridge spanning Court Drain, 13 chains W of Acorn St. Stephen's Church.
"	3a 1	"	"	Gate Corporation.
Grange	1/4 9	2	3	The sectional ^{map} parish Church of Acorn, 20 chains W of Acorn Hall.

Tab 10 – 1910 Finance Act records

Index letter	Description of Buildings	Dimensions			Cubical Contents	Condition	Remarks
		Footage	Depth	Height			
					Real	765	
	Appl. resurveyed 10 1/2 % say 79.6				say 79.6	11:10.0	
	Management 5 7/8					53:10	
						24.5	
						1400	
	Lot 15.4 for serv.				Real	765	
	Residing 40 ac 2						
	for serv 1/10						
	Appl. 1/10						
	Management 1/10				say	1.1	
					say	4.2 or 765	
						4.2	
						24.5	
						1400	
	Lot 15.0 for serv.				say	14000	

RESTRICTIONS	£
TOTAL VALUE.....	£ 1,500
Less Value attributable to Structures, timber, &c. (as before)	£ 500
Value directly attributable to—	
Works executed	£
Capital Expenditure	£
Appropriation of Land	£
Redemption of Land Tax	£
Redemption of Other Charges	£
Enfranchisement of Copyhold, if en- franchised	£
Release of Restrictions	£
Goodwill or personal element	£
Expense of Clearing Site	£ 500
ASSESSABLE SITE VALUE	£ 1,000
If Agricultural land, the value for Agricultural purposes including Sporting Rights	£ 1,500
excluding	
Value of Sporting Rights	£ 500
If Licensed Property, the annual license value	£
Liable to Undeveloped Land Duty as from	£
For further reference as to Apportionments &c., see	

Situation *Hufford Cray, New.*
 Description *New, from New Building*
 Extent *42 a. 12.6*

Gross Value { Land £
 Buildings £46/15/ Rateable Value { Buildings £ 30/14/

Gross Annual Value, Schedule A, £

Occupier *Charles Bladen.*

Owner *Charles Bladen, Hufford Cray, Devon.*

Interest of Owner

Superior interests

Subordinate interests

Occupier's tenancy, Term

How determinable

Actual (or Estimated) Rent, £ 60-

Any other Consideration paid

Outgoings—Land Tax, £

Tithe, £

Other Outgoings

Who pays (a) Rates and Taxes (b) Insurance

Who is liable for repairs

Fixed Charges, Easements, Common Rights and Restrictions

Former Sales. Dates *June 1904*

Interest

Consideration

Subsequent Expenditure

Owner's Estimate.

Gross Value

Full Site Value

Total Value

Assessable Site Value

Site Value Deductions claimed

Roads and Sewers. Dates of Expenditure

Amounts

Particulars, description, and notes made on inspection
42 a. 12.6. New, Building & Orchard
42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

42 a. 12.6. New.

Reference No. _____

Particulars, description, and notes made on inspection
*Circumstances - Spring room Draining, worn timber building
+ Bedstone & cement-lime concrete
on buildings. Implements etc., Blacksmith's shop above the
H. house, being 2' x 6' tall at all, the new room, dry place,
dry house, turning, lime, Coalhouse for stone, 2 feet long
in open yard, but shed, Barn recovers for 10 tons, turning
house, Cart shed, Coalhouse for horse & 4 cows, turning, drying
Charges, Exemptions and Restrictions affecting market value of Fee Simple
Lying with granary over Dutch Barn about
30 yds x 8 yds.
Hay, 2 rooms
and three little barns, Ground in yard (wood-rop)
Dutch Box & Barn
Dutch House & Barn*

Value. — Market Value of Fee Simple in possession of whole property
in its present condition

Deduct Market Value of Site under similar circumstances, but if divested of structures, timber, fruit trees, and other things growing on the land	10750 £ 99000
Difference Balance, being portion of market value attribut- able to structures, timber, &c.	8075 £ 9900 2575 £ 9900
Divided as follows:—	2250 £ 7750
Buildings and Structures, &c.	Machinery
Timber	Fruit Trees
Fruit Trees	Other things growing on land
Market Value of Fee Simple of Whole in its present condition (as before)	10750 £ 9900
Add for Additional Value represented by any of the following, for which any deduction may have been made when arriving at Market Value.—	
Charges (excluding Land Tax)	£ 072
Restrictions	£ 044
GROSS VALUE	10750 £ 9900

[illegible]

Tab 11 – Wartime closures

This Order becomes operative on the date on which notice that it has been made is last published in accordance with Section 19 (1) of the Requisitioned Land and War Works Act, 1945.

STATUTORY INSTRUMENTS.

1953 No.132.

HIGHWAY, ENGLAND.

The Stopping up of Highways (West Riding of Yorkshire)
(No.1) Order, 1953.

Made - -

- - 26th. January, 1953.

Whereas the Minister of Transport (hereinafter referred to as the "Minister") is satisfied that in the public interest it is necessary or expedient to authorise the permanent stopping up of the highways referred to in Article 1 of this Order (which said highways were stopped up by virtue of Orders made on the 28th. day of April, 1941, the 19th. day of January, 1944, and the 10th. day of March, 1945, by the Secretary of State for Air in exercise of the powers conferred upon them by Regulation 16 of the Defence (General) Regulations, 1939, and have not ceased to be so stopped up).

Now, therefore, the Minister in exercise of the Powers conferred upon him by section 15 of the Requisitioned Land and War Works Act, 1945 (a), as extended by section 3 of the Requisitioned Land and War Works Act, 1948(b), and of all other powers him enabling in that behalf hereby makes the following Order:-

1. The permanent stopping up of the highway consisting of two roads and three footpaths within the Parish of Rufforth in the Rural District of Nidderdale in the County of the West Riding of York which are specified in the Schedule to this Order is hereby authorised
2. The electricity cables belonging to the North-Eastern Electricity Board placed under the highway described in paragraph 1 of the said schedule shall be retained and all rights of the said Board as to the use and maintenance thereof shall be preserved.
3. The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
4. This Order may be cited as "The Stopping up of Highways (West Riding of Yorkshire) (No.1) Order, 1953".

Continued over.....

Given under the Official Seal of the Minister of
Transport this 26th. day of January 1953.

J. R. WILLIS.

An Under Secretary of the
Ministry of Transport.

L.S.

THE SCHEDULE.

Highways to be stopped up

- CT4 RD
1. That length of the Rufforth-York Road which extends from a point approximately 23 yards north-west of its junction with Height Lands Lane in a south-easterly and north-easterly direction to a point approximately 300 yards south-west of New Gate Bridge.
- Do -
2. That length of the road known as South Field Lane which extends in a south-easterly direction from a point approximately 230 yards south of its junction with the Rufforth-York road for a distance of approximately 1, 100 yards.
- not an DM
3. That length of the footpath leading from the Rufforth-York road to Rufforth Grange which extends from its junction with the said road in a southerly direction for a distance of approximately 770 yards.
- Do -
4. The footpath extending in an easterly direction from a point on South Field Lane approximately 200 yards north of Mossy Lane Gate for a distance of approximately 230 yards.
- Do -
5. The footpath extending from a point on the Rufforth-York Road approximately 570 yards south-west of New Gate Bridge in a south-easterly direction for a distance of approximately 650 yards to Grange Lane.

all more particularly delineated and coloured red on the plan numbered RLA. 49/20 and marked "Highways at Rufforth in the West Riding of Yorkshire" and sealed with the Official Seal of the Minister and deposited at the offices of the Ministry of Transport, Berkeley Square House, London W.1 a certified copy of which has been deposited at the offices of the Nidderdale Rural District Council, Claro Chambers Knaresborough.



2

DEPARTMENT OF TRANSPORTATION
WING
INDUSTRY
49/20
I 1951

SCALE: 6 inches to 1 mile

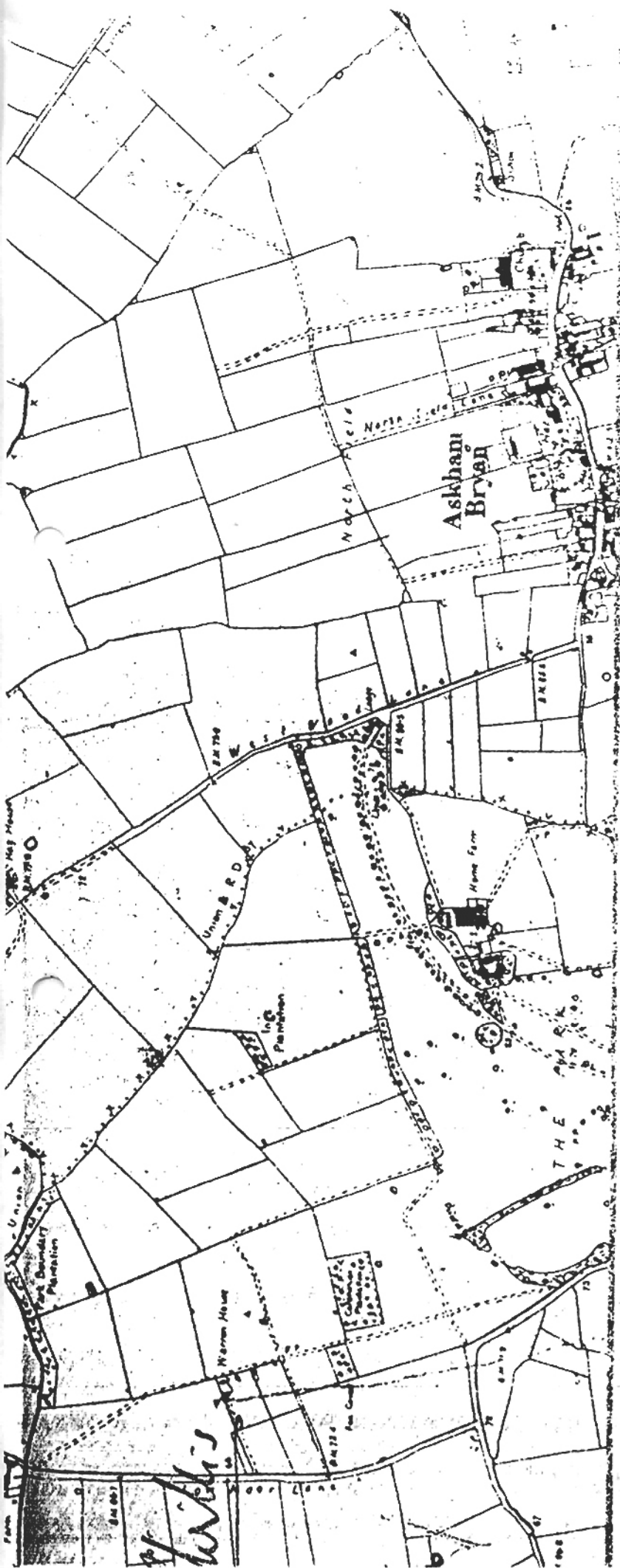
Feet

0 500 1000 2000 3000 4000 5000

Mile

$\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$

HIGHWAYS TO BE STOPPED UP



Tab 12 – User Evidence

WEST YORKSHIRE COUNTY COUNCIL

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surnames:- DOIG Christian BETTY
names (Mr., Mrs., Miss)
2. Address:- 83 WESTFIELD PLACE
3. Occupation:- HOUSEWIFE Age:- 60
4. Name and Route of Path:- Grange Lane
(give Grid Refs:)
5. Borough, U.D. or Parish:- Rufforth Parish
6. Kind of Path (Footpath, bridleway, etc.) Bridleway
7. Do you regard this path as public? Yes
8. Is the path well defined? Yes
9. How many years have you known the path? 35 years plus
10. Over what period and how frequently have you used this path?
every week dog walking & nature walks with kids; as far as the ammunition stores.
11. For what purpose did you use the path?
(pleasure, work, shopping etc.) Pleasure & to teach children nature and countryside
12. Details of any stiles, handgates, field gates, notices, direction signs, warning signs, obstructions, etc., and locations:-
no notices. years ago a wide gate with a small gate at the side, beyond the pond half way along.
13. Name of owner(s) or tenant(s) of land, if known:-
Mr. Fealy, Mr. Bean, Mr. Tomlinson
The Grange West House Farm
14. Have you been employed by, or a tenant of, the owner of the land crossed by the path? If so, give dates:-
No
15. If you were a tenant or employee of the landowner, did he give you any instructions about the way? If so, give dates and particulars:-
never been stopped.
16. Any further information:-
Grange School used to use it for nature walks.

Date:- 14th August 1981

Signature

Signature of person

taking statement:-

D. G. Munro.

ANDREW DOIG age 27. 22 of above 35 years.

WEST YORKSHIRE COUNTY COUNCIL

PUBLIC RIGHT OF WAY PATHEON FORM

1. Surname:- ROSE Christian JAMES WILLIAM
2. Address:- 89 Gals Lane, Acomb. names (Mr., Mrs., Miss)
3. Occupation:- Retired Age:- 67
4. Name and Route of Path:- Grange Lane, Rufforth
give Grid Refs:)
5. Borough, U.D. or Parish:- Rufforth
6. Kind of Path (Footpath, Bridleway). Bridleway
7. Do you regard this path as public? Yes
8. Is the path well defined? Yes
9. How many years have you known the path? 60 years
10. Over what period and how frequently have you used this path?
60 years regularly until the fence took over Rufforth End then regularly with
11. For what purpose did you use the path? children and family over remaining part, even when it got overgrown by brambles.
(pleasure, work, shopping etc.) to the windmill, or a route to take back along Grange Lane.
12. Details of any stiles, handgates, field gates, notices, direction signs, warning signs, obstructions, etc., and locations:-
no notices until this July & Gals recently erected dog new track to Windmill House farm.
13. Name of owner(s) or tenant(s) of land, if known:-
Two gates (never locked) one Acomb side & Gars farm & one at Acomb boundary.
Alfie Holmes Acomb Grange; Lawrence Bean, Grange farm, Plenty, Gars farm
Wood, Wood farm, & some in Rufforth
14. Have you been employed by, or a tenant of, the owner of the land crossed by the path? If so, give dates:- Not employed by the owners.
15. If you were a tenant or employee of the landowner, did he give you any instructions about the way? If so, give dates and particulars:-
16. Any further information:-
His farm personnel used the lane to get to Acomb pubs
A lot of Acomb people used the lane on a Sunday night and were stopped by
any farmer such as Mr. Holmes or Mr. Bean.
Date:- 13th August 1931

Signature

L. M. Rose

Signature of person
taking statement:-

D. G. Jones

LILY MARGARET ROSE
over past 46 years

L. M. Rose

PUBLIC RIGHTS OF WAY DISTRICT NO. 1

1. Surname:- GRAY Christian SYDNEY
names (Mr., Mrs., Miss)
2. Address:- 14 Grange Lane, Acomb
3. Occupation:- S.T.O. British Rail Age:- 47.
4. Name and Route of Path:- Grange Lane, Rufforth
give Grid Refs:)
5. Borough, U.D. or Parish:- Rufforth.
6. Kind of Path (Footpath, Bridleway). Bridleway
7. Do you regard this path as public? yes.
8. Is the path well defined? yes, was part of a road near airfield
9. How many years have you known the path? 2 1/2 years
10. Over what period and how frequently have you used this path?
Regularly for 7 1/2 years exercising dog (twice daily); with family, more previous 14 years
11. For what purpose did you use the path? pleasure.
(pleasure, work, shopping etc.)
12. Details of any stiles, handgates, field gates, notices, direction signs, warning signs, obstructions, etc., and locations:-
None on track itself, until 4 months ago.
13. Name of owner(s) or tenant(s) of land, if known:-
Mr. Sykes, Mr. Atkinson, Mr. Penny, Mr. Swins, Mr. Skilbeck.
14. Have you been employed by, or a tenant of, the owner of the land crossed by the path? If so, give dates:-
NO
15. If you were a tenant or employee of the landowner, did he give you any instructions about the way? If so, give dates and particulars:-
Not Applicable.
16. Any further information:- Was a miniature wild life reserve. The land was passable with a dog in winter.
Never been turned back by the owners although seen by them. Mr. Skilbeck said did not object to "genuine walkers".
Date:- 22-8-81

Signature

Signature of person taking statement:-

MARION GRAY Housewife & Clerk, 27 years knowledge.
M. Gray Age over 40.

STEPHEN GRAY
age 26
known 18 years
S. Gray

NORTH YORKSHIRE COUNTY COUNCIL

PUBLIC RIGHT OF WAY EVIDENCE FORM

1. Surname:- ARROWSMITH Christian ARTHUR EDWARD
names (Mr., Mrs., Miss) (known as Peter)
2. Address:- 16 Grange Lane, Acomb.
3. Occupation:- Driver Age:- 50
4. Name and Route of Path:- Grange Lane,
give Grid Refs:)
5. Borough, U.D. or Parish:- Rufforth
6. Kind of Path (Footpath, Bridleway). Footpath.
7. Do you regard this path as public? Yes.
8. Is the path well defined? a vacant road most of way
9. How many years have you known the path? 45 years plus (all my life)
10. Over what period and how frequently have you used this path?
two mornings & two or three nights a week for 30 years.
11. For what purpose did you use the path? Walking to edge of main airfield, recently
(pleasure, work, shopping etc.) (until gate erected) onto airfield.
12. Details of any stiles, handgates, field gates, notices, direction signs,
warning signs, obstructions, etc., and locations:-
nothing until Mr. Skilbeck erected his gate topped with barbed wire, a few months
ago
13. Name of owner(s) or tenant(s) of land, if known:-
Mr. Skilbeck owns part of former aerodrome.
Mr. Swire owns Wild West Farm.
14. Have you been employed by, or a tenant of, the owner of the land crossed
by the path? If so, give dates:-
Yes Mr. Penly's father, 1945-1950
15. If you were a ~~tenant~~ or employee of the landowner, did he give you any
instructions about the way? If so, give dates and particulars:-
No. No.
16. Any further information:-
Annoyed at being deprived of what we consider to be our right of way. If we saw
any trouble we would report it to the farmer concerned.

Date:- 22-8-81

Signature

Signature of person

taking statement:-

Dave Nunn.

ZILPHY ARROWSMITH over 26 & under 50

Production worker (Tyng's) known path 26 years.

Z. Arrowsmith

NORTH YORKSHIRE COUNTY COUNCIL

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname:- ROSE Christian ERNEST
names (Mr., Mrs., Miss)
2. Address:- 52 GRANGE LANE, ACOMB.
3. Occupation:- Retired Age:- 73.
4. Name and Route of Path:- Grange Lane, Rufforth
give Grid Refs:)
5. Borough, U.D. or Parish:- Rufforth
6. Kind of Path (Footpath, Bridleway). Bridlepath.
7. Do you regard this path as public? yes.
8. Is the path well defined? yes. straight beside hedge, as far as the Dike.
9. How many years have you known the path? 62 years.
10. Over what period and how frequently have you used this path?
55 years. nearly every Sunday night before the war, occasionally, part way down road ^{now.}
11. For what purpose did you use the path? Walk over to Rufforth Park, Brambling,
(pleasure, work, shopping etc.) pleasure, walking to Grange Wood.
12. Details of any stiles, handgates, field gates, notices, direction signs,
warning signs, obstructions, etc., and locations:-
gate by the Boundary Stone, gate by Cameron's farm (never locked), ^{pass} gate by Rufforth farm (gate
used to ~~keep~~ keep stock on right hand).
13. Name of owner(s) or tenant(s) of land, if known:-
Mr. Bean → Ministry → Mr. Skilbeck: Mr. Bean → ? : Mr. Cameron → Mr. Pugh,
Mr. Holmes → Lyell Green (Mr. Hudson was one tenant) → Mr. Swine: Mr. Holmes → Mr. Sykes.
14. Have you been employed by, or a tenant of, the owner of the land crossed
by the path? If so, give dates:- Albert Holmes (Mr. Alfred's father) 1925-1949
approx.
15. If you were a tenant or employee of the landowner, did he give you any
instructions about the way? If so, give dates and particulars:-
we never turned anyone back, as long as they didn't interfere with the farming.
(I remember telling people to leave a field due to causing damage) etc. etc. & walking etc.
16. Any further information:- Mr. Bean maintained the lane from Rufforth end down to
Foxholes (Mr. Bean used the rest of the lane for farm purposes). Some ground to Cameron's
farm good sandy road adequate for all purposes to the main dyke. Mr. Holmes never
mended the road except from Acomb to the Pond & to Acomb Grange.
Date:- 22-8-81

Signature E Rose

Signature of person taking statement:- D G Nunn

SOUTH YORKSHIRE COUNTY COUNCIL

PUBLIC RIGHTS OF WAY EVIDENCE FORM

1. Surname:- HANCOCK Christian NORMAN
names (Mr., Mrs., Miss)
2. Address:- 103 Askham Lane, Acomb
3. Occupation:- Retired Age:- 73
4. Name and Route of Path:- Grange Lane
give Grid Refs:- SE 544 509 to SE 564 508 - walked the continuation to
Wetherby Road, December 1979 (3045)
5. Borough, U.D. or Parish:- Raffington Parish
6. Kind of Path (Footpath, Bridleway) Bridleway
7. Do you regard this path as public? Public Right of Way
8. Is the path well defined? Yes
9. How many years have you known the path? 32 years
10. Over what period and how frequently have you used this path?
1st ten years almost daily, less frequently afterwards but several times a year - daily
when looking after our son's detention.
11. For what purpose did you use the path? Pleasure; access to countryside, teaching
(pleasure, work, shopping etc.)
"Daughter" where study throughout the year, dog-walking.
12. Details of any stiles, handgates, field gates, notices, direction signs,
warning signs, obstructions, etc., and locations:- No
13. Name of owner(s) or tenant(s) of land, if known:- Not known, never
needed to know.
14. Have you been employed by, or a tenant of, the owner of the land crossed
by the path? If so, give dates:-
No
15. If you were a tenant or employee of the landowner, did he give you any
instructions about the way? If so, give dates and particulars:-
N/A.
16. Any further information:- A local family walking area:
The western end was passable on foot, but with difficulty only for last 2 years
Everybody and anybody seen on this path - families, couples, joggers, horse-riders,
etc. etc. dogs with owners Date:- 20-8-81.
Greeted by the obvious Signature Alan Wood
owners/tenants - never Signature of person
any indication that one taking statement:- Daniel Norman
shouldn't be there.

PHYLLIS HANCOCK age 71. Housewife.

P. Hancock



Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms.		
Christian Name (s) :		
Age: (If over 21, you may insert "Over 21") <u>Over 21</u>		
Address: <u>7 Hlessey Place</u> <u>Goombe Lane</u>		
Occupation: <u>Caretaker</u>		
Name or route of Path: <u>Grange Lane Farm</u>		
National Grid References, at each end of the path, or other means of identifying the route:		
Parish of: <u>Goombe Lane</u>		
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way ? * Yes / No		
Is the path well defined ? *Yes / No If "Yes" How? <u>Well able access</u>		
Width of path (If defined) : <u>1 yard width</u>		
How many years have you known of the existence of this path ? <u>25 years</u>		
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>1975 - until now</u>		
Have you used the path:	i) on foot ? ii) on horseback ? iii) by motor vehicle ? iv) by cycle ?	*Yes / No * Yes / No * Yes / No * Yes / No
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <u>Weekly</u>		
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <u>Walking my dog and my son</u>		
Have you ever been prevented from, or challenged when, using the path ? *Yes / No If "Yes" please give details <u>At the moment there are gates across</u>		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>Private Road Sign, gates across the paths.</u>		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Do not. no his name at the farm

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? *~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

Quite a lot of us have dogs and children, and it is a nice country walk, nice and quiet we would like to keep this path for our local people who use it who have lived here a long time.

* Delete as appropriate

Signature: ~~Mark Baswell~~

Date: 10.5.01

Sylvia Baswell (Henry ODBM22.1)

Signature of Person Mark Baswell

Taking the Statement:

Date:

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms:		
Christian Name (s): JUNE ANN		
Age: (If over 21, you may insert "Over 21") 60		
Address: 22 BRAMHAM GROVE CHAPELFIELDS		
Occupation: HOUSEWIFE		
Name or route of Path: I HAVE ALWAYS KNOWN IT AS GRANGE LANE		
National Grid References, at each end of the path, or other means of identifying the route :		
Parish of: ACOMB		
Type of Path:	*Footpath / Bridleway / Byway Open to All Traffic PART OPEN TO CARS	
Do you regard the route to be a Public Right of Way ?	* Yes / No	
Is the path well defined ? *Yes / No	If "Yes" How? MOST OF IT WIDE ENOUGH FOR A CAR UNTIL THE RING ROUND OPENED ALL OF IT WAS	
Width of path (If defined) :	AS ABOVE EXCEPT FOR SMALL PART WHICH IS NOW A NARROW PATH	
How many years have you known of the existence of this path ?	23 YEARS	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	1979 TO NOW	
Have you used the path:	i) on foot ?	*Yes / No
	ii) on horseback ?	* Yes / No
	iii) by motor vehicle ?	* Yes / No
	iv) by cycle ?	*Yes / No
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	DAILY	
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	PLEASURE	
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	Yes / No FARMERS ALWAYS STOP TO CHAT	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. NO SIGNS 2 GATES		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? ~~YES~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

BEING ALLOWED TO WALK DOWN GRANGE LANE HAS NEVER BEEN DISPUTED BUT I RANG TO SAY THAT SHEEP HAD BEEN PUT ONTO LAND RIGHT NEXT TO A ROAD USED BY CARAVANS COMING FROM ALL OVER THE COUNTRY. I TRIED RINGING MAFF BUT FOUND I WAS ALWAYS IN A QUEUE AND COULDN'T GET THROUGH. SURELY IF THEY HAVE PUT UP ONE YOUR NOTICES THEY ARE SAYING IT IS A RIGHT OF WAY? REGARDLESS, WE HAVE NEVER BEEN STOPPED BEFORE

* Delete as appropriate

Signature: Joe Grayson

Date: 25.4.2001

Signature of Person
Taking the Statement:

Date:

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

**Tab 13 – Local History, Acomb Grange,
by Jennifer Kaner**

Acomb Grange by Jennifer Kaner - page 1

If you have accessed this web page via the home page of Acomb Grange, it will be visible in a frame, which may make it necessary to scroll to read it. If this is inconvenient, it is possible to access this page directly on <http://www.yorkholidays.co.uk/history.htm> and it will be displayed in a full screen.

Footnotes and references are an essential part of any scholarly work but they can also interrupt the flow of the text. To help the reader on this website, references to sources are shown in the usual way with superscript numbers. Clicking on the reference number will show the details of the reference by hyperlink, and clicking at the end of the reference will return you to the main text at the point where you left it.

Years are highlighted thus 1409

[Goto page 2](#) | [Home page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#)

Summary

This article traces the history and ownership of Acomb Grange from the 12th century to the present day. The article was the winner of the 1991 Sheldon Memorial Trust Essay Competition.

Introduction and early history.

Sketch Map of the area round Acomb Grange, showing township boundaries. Based on the O.S. map of 1852.

Acomb Grange, as a distinct and separate estate since the 12th century, deserves to have its history recorded. It lies on the immediate outskirts of modern York, in the green belt, only 2.75 miles from York Minster, and yet it has remained an entity for 800 years



Figure 1

Map 1

Domesday Book .In 1086, in the Domesday Book, the entry for the vill of Acomb records 16.5 carucates for geld, of which 14.5 belonged to the Archbishop of York and two belonged to the King. The Archbishop's land included wood pasture two furlongs long and two wide, while in the King's land, besides land for one plough, there were 10 furlongs of wood. Woodland plays a significant part in the history of Acomb Grange.

Gift of Henry I The history of the Grange as a separate entity starts when Henry I gave two carucates of land in Acomb to the Hospital of St Peter in York by a charter dated between 1123 and 1133.¹ This gift of land in Acomb was the first of numerous post-Conquest donations of land outside York to the Hospital by both the King and the Norman barons.

Separation from York Minster

By the end of Stephen's reign the Hospital was separated from the Minster and had received an alternative name of St. Leonard's. It acquired more land and set out to maximise returns from its properties to provide income for running the Hospital

Management of hospital property The records surviving are scattered and show numerous changes in the ways the properties were managed over the medieval period, varying from direct farming to leasing out for a rent and possibly a mixture of the two. Each property has a different history. This essay summarises the material that can be gleaned about Acomb Grange in particular.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

[Clicking on the reference numbers will show ref details](#)

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 2

Pre Conquest foundation The Hospital was almost certainly a pre Conquest foundation. An ancient tradition records that King Athelstan gave to 'men of sanctity called culdees a thrave of corn from every plough in Yorkshire' except for those in part of the East Riding which he had given to St John of Beverley as a thanksgiving for a victory over the Scots.

This tradition was written down in 1123 and though it may have added the gift to Beverley, which is well attested before the Conquest, to the one to York, it, with the name culdees, which is a gaelic word meaning servant of God, creates a strong probability in favour of a pre-Conquest origin.²

The culdees survived the Conquest; they cared for the poor and sick and were recognised by the Norman Kings.

Grant renewed by William II William II 'renewed' the grant of thraves c. 1090³ and gave the land in York where the Hospital was built.

Survey of 1280 In a survey dated 1280 the Hospital, sited in its own liberty lying in the north-west corner of the old Roman fortress, the area now containing the City Library, St Leonard's Place and the Theatre Royal, was described as providing an infirmary for 229 people and orphanage for 23 children.

Two hundred and forty seven loaves, 256 herrings and 14 gallons of beer weekly went to the poor at the gate, and a meal a week was given to prisoners in the castle. It housed 434 people altogether, including brothers and servants, so was a very large institution, one of

Other properties, such as Heworth Grange and Acomb Grange, seem always to have been run as separate farms, though, despite their names, in the 14th-century accounts they are invariably called 'manors. Sometimes part of the income is recorded under Exitus Grangia; this usually means the produce from barns as opposed to stock but may have a double meaning in these accounts.

In the early period peripatetic brothers of the Hospital travelled round administering the properties. A keeper (serviens) was resident at the Grange along with some farmhands (famulis).

This seems to have been the case at Acomb.⁵ Farm at Rufforth and Acomb The Hospital's two carucates were formed into a farm within a ring fence on the Rufforth edge of Acomb.

This may have been an original arrangement but could have been the result of the reorganisation of Acomb holdings at an early and unrecorded date, since there was, in addition to the Grange, at least one rent-paying

Acomb free tenant.⁶ The Grange was described as being in Acomb in the liberty of St Leonard's in 1307.⁷

Holdings in Rufforth The Hospital also held land in Rufforth. There were a number of charters recording gifts to the Hospital from the family of Geoffrey of Rufforth, als Bugthorpe, and Elen his wife.

In 1218 he gave St Leonard's the advowson of Rufforth church and, in 1231, 63 acres of land 'lying in Smalwith and Bargate and between the bounds of Askham and the crosses placed Keldsykeflat, and 50 acres of wood called Moschawe'. This was recorded in a fine.⁸ The

the largest hospitals in the country.⁴

Manorial system Some of its properties, such as Heslington and Lead, were initially operated through the usual manorial system. The tenants were bondmen paying rents and doing services and were controlled by manorial courts.

charters give more topographical detail.² The bounds of the wood of Mosehaghe were the land given by Fulco de Rufforth as far as the metes and bounds of the culture called Bradale, and from Ackum Hag as far as the bounds of Askham, surrounded by a dyke on which the Hospital could place a hedge.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 3

Fulco de Rufforth had given a wood called Kartegathehirst. This extended in length from the river called the Fosse, which runs under the wood of Acomb, as far as the ditch which divides it from the arable fields, and in width from the ditch of the hospital on the north round land previously given to the hospital as far as the land of John his brother, to be marked by stone marks.

There was land in Baregarths 39 perches wide, in length as far as the ditch which leads from Kartegathehirst, 20 acres on the west of the meadow of the Hospital called Micklermore from the bridge of the Hospital across the Foss, four acres by the perch of 20ft which lie next to the wood of Mossehawe and 20 acres in Keldsike flat.

Jordan, son of Geoffrey, gave a culture called Hag, containing 30 acres to be enclosed by a ditch and a hedge and an acre next to the culture of the hospital called Scalekerflath. There were also grants of meadow in Stubbings, on the bounds of Hutton, and of

Eastern edge of Rufforth The group of properties consisting of the 'cultures' and woods, including Moshawe and Kartgathehirst, on the eastern edge of Rufforth township, seem to have been run together with Acomb Grange, though there is evidence from a 17th-century deed ¹¹ that each tenant holding a toft and open field land, formerly the Hospital's property in Rufforth, held around 18 acres of Smalwith. The Grange held a similar amount. By the Middle ages the ditch round it was already looked after by the Grange so there is no way of knowing when this pattern first emerged.

Which parish ? Acomb Grange itself became part of Rufforth parish at some date before 1520 and, apart from the name, lost its connection with Acomb. The likely original boundary was along the dyke/river called the Foss; this is marked on the 1852 O.S. map and was mentioned in one of the 13th-century charters.

Boundary disputes Several agreements were made with adjoining townships about boundaries. In the reign of Henry II the sheriff of Yorkshire had to make a division between

several tofts and bovates in the village itself. One of these was a toft, with two acres in Ekel and two in Linthwait and 16 outside the hai. The land outside the 'hai' was later described as the culture called Skalcker.

These charters probably date from the first 40 years of the 13th century, and appear to have been gifts for being remembered in prayers. The tofts and the open field land were held by separate tenants paying rents.

The remainder seems to have been assarted land on the edge of Rufforth township; each 'culture' was surrounded by a ditch and a hedge. Except for the four acres on Bradale, this land does not appear to have included any part of the original Rufforth open fields. It is interesting to note that the local measure was a pole of 20 perches and that there is a hint of an inner area of open fields enclosed by a hedge (c.f. Wheldrake). ¹⁰

the woods of the Hospital in Acomb and the woods of Alan of Knapton, and a ditch had been made between the land of Acomb belonging to the Minster Treasurer and the land and wood of the Hospital. This may be the ditch that now bounds the Chapelfields housing estate.

There had probably been some earlier rights of intercommoning.¹² In 1845 the ownership of this watercourse was shared with Acomb.¹³ In 1371 a ditch between the Grange wood and Askham Bryan field, called the Brind dyke, was to be cleaned and dug out by the men of Acomb Grange.¹⁴ According to the Sheriff's court it had been flooding the Askham field.

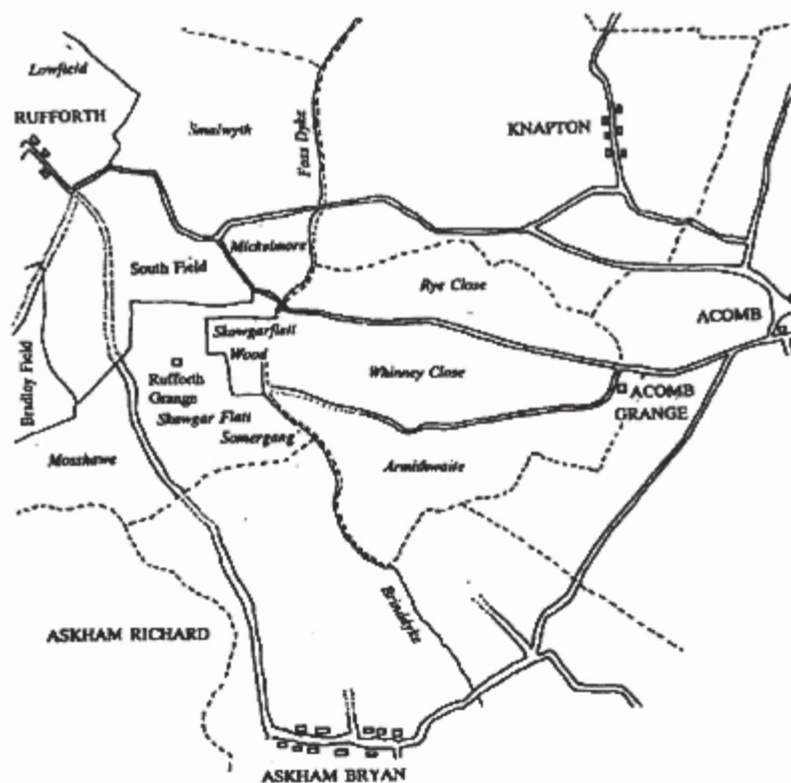
The Lichfield connection Glimpses of the property in action survive in surveys of the Hospital made in Edward I's reign (now in Lichfield Joint Record Offices) and in some accounts from the 14th century (in York Minster Library). Those housed at Lichfield may have gone there with Walter de Langton, who had become master of the Hospital in 1293, when he became Bishop of Lichfield

Article continues on this page at column 2

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)



Map 2

Sketch map of the area round Acomb Grange showing place names. Based on W. White's map of the Ainsty, 1785. Italics indicate identifications that are uncertain.

4

Figure 2

Based on W White's map of the Ainsty of York , 1785

Article [continues](#) on next page at the top of column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 5

Walter de Langton was also Treasurer of England. The Lichfield material is very detailed, providing lists of hospital servants, lists of stock, including the cows which provided milk

Buried in a long list of complaints from all over England are several relating to Acomb Grange.

for the orphanage, and surveys of various properties.

Acomb Grange was valued in 1287 at 8s. The survey described the manor site as surrounded by a ditch (fossaturn) and a hedge (hayarn). There was another house called Godeshalles worth yearly 2s. There were 300 acres of payable land by the small hundred, worth 8d an acre, and 23 acres of meadow, worth 20d an acre. There were also two woods of which the pasture, husbote, haybote, underwood and pannage were worth 60s.

This is likely to have included the property in Rufforth mentioned above. The total amounted to £15 10s 4d. For comparison, the income in the same valuation from Beningbrough was £19 5s 4d and from Heslington £20 7s 7d. The collection of St Peter's corn (i.e. the thraves) made there from various places was worth £5 4s 7 1/4d. Later evidence indicates that Petercorn collected at Acomb came from Follyfoot, Healaugh, Wilstrop, Marston and Poppleton.¹⁵

14th Century accounts The 14th-century accounts¹⁶ show that one of the serviens of Acomb, John de Hemingbrough, received a length of cloth for his clothes. Men of higher status got lambskin trimmings as well. John got the same as the hospital smith, the janitor and the cook. There is no sign of income from Acomb in these accounts, except for £4 3s 4d for 5,000 faggots sold from Acomb wood and 2s for pasture in the wood and grass on three selions next to Mossawe.

Hugh de Helmsley, serviens of Acomb, paid 24s 10d for rent in Rufforth and received 65s 6 1/2d as a payment, along with Richard de Foxholes who received £17 16s by tally. The reason for these payments is uncertain but perhaps all the produce of the Grange went straight to the Hospital and the payment provided the working capital for running the Grange.

Walter de Langton - Treasurer of England After Edward I died, Edward II arrested his father's Treasurer, Walter Langton, who had been Master of the Hospital, and put him on trial. He invited complaints about his conduct from anyone who had a grievance.

¹⁷ Walter de Langton seems to have spent some of his time at Acomb Grange, using it in the same way as the Abbot of St Mary's used Overton and the Archbishop used Cawood and Bishopthorpe. He was accused of misappropriating money and property and of using his position to bully people.

For example, his servants had ordered £20 to be spent on making a ditch at Acomb Grange [in the reply it was 'the ditch of the said manor'] which they had extorted from one John Sampson who was in prison.

More significantly a William, son of Alan of Knapton, complained that while he was in the middle of suing Master Alan Breton for a writ of right in the court of his feudal overlord, Luttrell of Hutton Paynell, for some property in Knapton,

Walter de Langton bought the land from Alan Breton by a fine levied in the King's court. The court was adjourned and during the adjournment various of Langton's servants went to the house of Robert le Turner, William's attorney, in Knapton, seized him, bound both his hands and tied him on a horse and took him to Acomb Grange where Walter de Langton was living. From there he was forced to go to the court of Hutton Paynell and withdraw the suit.

William's son and John of Grantham also complained of being forced to give up their rights in Knapton and of false imprisonment. John also complained that he had 15 score sheep in Knapton common pasture and that they had been taken to Acomb Grange, and when he had asked for his money he had been imprisoned at St Leonard's.

Walter de Langton's defence in this case was that John owed money to the King for fines, which was the reason for his imprisonment, and that he had bought the sheep but had not paid for them. The rights and wrongs of each case are buried in time but the material illustrates the way a powerful man could use the law to his own advantage.

Article continues on this page at column 2

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 6

Langton soon got out of prison and back into favour with the King. He certainly continued to hold a lease of Knapton but not the Mastership of St Leonard's Hospital. His sojourn at Acomb Grange may explain the moat round the site and the tooled stone which is to be found there. Also, if later masters followed the same practice, it would explain why there was expenditure on the Grange but so little income.

Inquisition by the Crown An inquisition made by the crown in 1364 into the affairs of the Hospital¹⁸ indicated that income from almost all the holdings was much lower than in earlier years. The former value of Acomb Grange was £30 19s 7d. The deficit in 1364 was 72s 5d, but whether this was a short fall on the previous income or an actual loss is not made clear. However, the inquisition does show the Hospital's consumption of wheat, rye, barley and oaten malt, beef carcasses, pigs and mutton, stones of cheese and butter.

It also states how much in total came from the manors and how much was bought. The accounts only show actual cash expenditure, so one finds money spent on bringing cheese from Broomfleet and driving animals to York but not the day to day expenditure at the 'manors'. The properties were supervised by one of the brothers and a seneschal who travelled around taking courts and seeing to harvesting and repairs; in 1343-44 they spent £13 14s 8d on their travels, including journeys to Acomb, but also visited Holderness to buy butter and Ripon to buy cattle!

An interesting feature of the accounts from 1375-79 is a hint that the keeper of the Grange was being provided with cows by the Hospital which, in return, received payment for dairy produce.¹⁹ The accounts are too badly damaged to be certain but '13s 4d rendered by John Day of Acomb for issue of 22 cows farmed by the said servant, for milk and calves per year 6s' may be interpreted in this way.

In a later account John Day seems to sell the Hospital a cow which he pays for himself and on yet another occasion, when rendering up arrears, part was from the last account and part was for two cows. The significance of this is difficult to understand; it may be a matter of accounting. Certainly the serviens of Beningbrough and the hospital geldhird received cattle bought at Richmond by tally. Another beast was purchased from the Hospital by a woman of Rufforth, but this may be a payment to redeem a mortuary. So, after Walter de Langton's departure, for much of the 14th century, Acomb Grange was probably farmed directly by the Hospital and its keeper accounted by tally. In contrast, two men were employed directly as haiotors of the wood (see below).

Letting of closes By 1409²⁰ some of the closes, including a pasture called Somergang, were let out to York butchers called William Tankerley, John Cundall and John Spynk. Pasturage was always at a premium round York and the City council made strenuous efforts to prevent the butchers driving up the price and monopolising all the nearby pastures. Nevertheless York butchers appear as lessees of other pastures near York, including the Tang Hall fields, the Vicars Leas and Heworth Grange.

In the same accounts an ill horse caused great concern and medicines were bought for a foal suffering from the 'farcy'; a woman was paid to cut herbage in the garden of the Grange especially for it. Salve was bought for a little colt and halters were bought for two foals.

Article continues on this page at column 2

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 7

Use of the estate as woodland Far more is recorded about the wood than about the Grange. It was operated as a demesne woodland by the Hospital, which also had a wood at Sutton Grange in the Forest of Galtres and rights to timber and fuel from the forest; but Acomb wood was a significant provider of timber, poles and faggots.

The accounts show that the hedgers of Acomb wood were employees of the Hospital in the same way as the smith, the tiler and the feriwoman. The feriwoman was paid 2s a year, the miller 10s, the geldherd 14s and the haytor circum bosci de Akom 5s each. The hedgers were called Robert James and Roger Day. William Wodhagg of the forest, a more important official, was paid 13s 4d.

The 1409 accounts also show that 64 men were paid 4d a day to cut underwood at Acomb for pynnes for the bank of the Humber at Broomfleet, another St Leonard's property. Seventy five cartloads of timber were taken from Mossawe wood to the River Ouse, at a cost of 7d per journey, to build and repair houses belonging to the Hospital in York. Thirty one men were also paid to hedge round the pond. The three gates that they mended for the wood cost 7d. The household and other workmen received 8d for food, at a time when 4d was a day's wage.

Rushes were cut for covering houses in the Hospital and the household were paid for driving the animals and pigs in the wood. The Hospital also moved animals from one Yorkshire property to another. Six score sheep came from Lead to Acomb and the boys who drove them received 3d for drink. Others went from Acomb to Broomfleet and from Broomfleet to Beningbrough.

Timber was cut in Mossawe and carted to the Ouse to be shipped to Broomfleet. It paid gatelay, a toll, at Middlethorpe. Timber was also squared for the repair of houses in Beningbrough and sales of bark raised 10s from John of Baildon. Two timber trees were bought by the Sheriff of Yorkshire from Acomb wood to make 'engines' at York Castle in 1338-39²¹

In 1461-62²² more of the closes were rented out, bringing incomes of £8 5s and £6 9s 8d. The wood continued to be run directly with the 'receiver' travelling to Acomb to inspect the wood and organise repairs. During this year timber from Acomb wood, along with carpenters and carters, went to Heslington to frame a new barn. The men were given beer while they worked at framing and erecting.

Much effort went into shipping special long faggots from Acomb to repair the staithe at Morhamwyk. Piles were bought at Carlton and 37 men were paid for 'stuffing' the staithe and binding it with osiers and faggots. Seventeen wagon loads of long faggots travelled from Acomb wood to Bishopthorpe where they were loaded onto boats. Nineteen timber piles were also felled and loaded. It was a major operation with servants from Heslington getting faggots in Moreby wood for the same work, the Hospital having taken a lease of Moreby wood for the purpose.

Later in the year, when Acomb wood had presumably been more or less stripped of usable timber and coppice poles, 5,000 faggots were cut for fuel and 24 cartfuls were sold in York. Long faggots were also sent to Broomfleet to repair the Humber bank. The method used can still be seen in action along the Ouse and there may evidence for the practice in Viking York.²³ Stakes are stuck vertically into the edge of the river and bundles of brushwood are stacked behind. During winter floods the bundles of twigs hold the mud and make a firm edge to the river.

Six men were paid for repairing defects in the wood and one, John Soule, who seems to have been in charge, was paid a fee for making hedges round the wood. This would be standard practice after coppicing. The hedges would be repaired to make sure that the animals could not get in to damage the 'spring', i.e. the new growth. The Bryneng dyke was cleaned out by nine men and 14 men were paid for cleaning out the moat round the 'manors'.

Thirty four men were paid for dredging the

The wood was mentioned frequently perhaps because cutting wood was outside the normal work of the household at Acomb; most of the agricultural products probably went straight into the hospital granaries and larders without passing through the surviving accounts.

For instance, in 1379-80 Roger Kidder and his servants were paid £6 12s 1d for cutting and bundling 31,300 faggots in the woods. The following year 24,000 were cut, costing 4s 3d per 1,000. A John de Angrom was paid for 130 days at 4d a day for cutting and trimming fuel but other men working in summer got 5d a day. Perhaps wages rose during the hay harvest. The wood sales continued with 200 faggots fetching 8s 4d and 10s coming from the sale of bark.

ditch round Srenalwith. A gate or door (porta) was made for Armathwaite and Towland and a bridge in Cow Lane. Iron keys were bought for the gates of the manor and the doors of the buttery. Planks were made for repairing the bridge at the gate of the manor and an ash was felled for cart timber.

So a picture is given of an actively managed woodland and a building that was being refurbished in 1461-62, but these are just brief glimpses which are difficult to interpret because of the way the accounts were organised.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

[Clicking on the reference numbers will show ref details](#)

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 8

Just before the dissolution Just before the final Dissolution of the Monasteries in 1539, which unfortunately included the Hospital, the master and brethren let the Grange on a 30-year lease to Robert Metham and Anne, his wife.

The lease was for the Grange, the Coney Garth (10s), Grenegarh (10s), the High Close bounding upon the Grene Garth (53s 4d), and a little close called the Calfe close (13s 4d). 'They were not to strype or waste any maner of wood pertaining to The Grange nor the hagg and were not to fell without licence of the master except it be for the repair of house or hedges.'

This is a fairly standard clause, but there was an additional, more unusual clause that 'if the master and brethren during the thirty years are minded to lye and kepe household in the mansion house of the same grange and the buildings appertaining, upon a quarters

Two years earlier Isobel Newarke of Acomb had leased a close called Mykelmore for 21 years, which lay next under Grainge Smalwith.

She was to repair the hedge using bandes and stakes delivered to her.²⁵ It is likely that the Grange had been leased out for some time. The will of John Chulton, dated 1520, describes him as 'of Acomb Grange'. He left his best beast as a mortuary and 13s 4d to his parish church; he also left 'a stotte and a wye' to St Leonard's Hospital, a horse and best gown to his brother, a cow and whye to his mother and, to his sister, 40s and a whye. His wife Anne and son were 'to occupy the farmholde together as they do my goodes' and whichever of them should live the longer was to retain the farm.²⁶

His wife may have been a Snawsell, a family descended from a York goldsmith who had

warning Robert and Anne shal ly clereley from the same during their time of residence there.' The total rent was 43s 4d. The Methams also leased the tithes of corn and hay in Rufforth, and more closes: the Wrangrow closes (53s 4d), the Whynne close (32s 8d), the Yng close (13s 4d)- late of the holding of John Chilton gent- and the Somergaine (66s 8d) .

The total rent was £8 6s. They were to pay the parson of Rufforth 8 marks and keep 'the closes adjoining upon the woods competently fenced so that no cattail can enter for the destruction of the Spryng trees.' The master and brethren kept the right to cut open and occupy the close called Somergaine.²⁴

settled in Bilton; John Snawsell, who was described by John Chilton as his brother, witnessed and supervised his will. A Robert Metham, son of a Sir Thomas Metham of Cave, had according to the Heralds' Visitation married Anne Snawsell.²⁷ If he was Anne's second husband it would explain how the property came into the hands of the Methams. Robert Metham first appeared at Acomb Grange in the 1524 subsidy roll. He is described as gentleman and paid 26s 8d on goods valued at 40 marks.

This was a high payment within the Ainsty, being exceeded only by Storey of Bikerton and Stapleton of Wighill.²⁸ Robert Metham acted as witness and supervisor of Seth Snawsell's will in 1537.²⁹

Article [continues](#) on this page at column 2

Article [continues](#) on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 9

Robert Metham was resident at Acomb at the time of the Pilgrimage of Grace and it is interesting to speculate whether he was involved. His elder brother Thomas is recorded as one of the leaders in the East Riding along with Robert Aske.

His father had been hauled from his bed by the pilgrims and nearly had his house burnt. The Ainsty pilgrims certainly mustered near Acomb and at Bilbrough, and several prominent local families, such as the Stapletons of Wighill and Oswald Willstrobe of Willstrop, are mentioned in the records of the Pilgrimage.

The assumption is that most esquires and gentlemen joined the pilgrims. When the

St Leonard's Hospital was finally dissolved on 1 December 1539 and its property went to the Crown.

The first Dissolution Accounts³¹ show an income of 62s 4d from the vill of Rufforth, 106s 8d from the Rectory of Rufforth and £22 8s from the Grange. The collector was Henry Burton.

Robert Metham was custodian of the wood of Acomb and received a fee of 2d a day and six cart loads of wood under a lease dated 30 June 1525.

Post Dissolution history. The accounts show that the wood was now being managed on

movement collapsed Sir Thomas Metham, Robert's father, was put on the jury to try those considered ring leaders, and his sons, with most of the rest of the gentry, conformed

All that can be said for certain is that in 1539, when a very full list of the militia was made in the Ainsty, Robert Metham esq. is recorded in Rufforth and Acomb Grange as an archer, horsed and harnessed, with a servant called William Wright. A William Metham, probably his son, had a billman servant, horsed and harnessed, and an archer servant with no horse or harness.³⁰

In later visitations Robert and his son William are recorded in Lockton, Lincolnshire and a brass to William, son of Robert, second son of Sir Thomas Metham of Cave, is at Rand in Lincolnshire. Robert's elder brother Thomas, who died in 1573, was one of the first men recorded as 'a moste wilful obstinate papist' in the aftermath of the Northern Rebellion of 1569.

behalf of the King. There was a total income of £15 6s 2d from 1,100 faggots of underwood and firewood and the tops of 35 trees were felled for timber for repairs. Another 1,200 faggots had been sold from one of the hags in Acomb wood in addition to bundles of spines and briars.

The coppiced wood fetched 20s per 1,000 and the briars 8s 8d. The payment for cutting was 5s a 1,000 for the first 10,000 and 4s for the next 12,000.

Payment was also made for cutting 176 rods of hedge and ditching round the wood at the rate of 2d a rod.

Two bridges and three gates in Wode lane were repaired and the king's way in one venella was repaired for carrying the faggots. The timber trees went to make a post, axletree and spars for the Castle Mills in York and for Heslington windmill.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 10

A little later, in 1545/6, the receiver of all the money on behalf of the King, Leonard Beckwith, was investigated by the Court of Augmentations for possible fraud.

A survey of ex-monastic dernesne woodland was made³² which included, among others, woods at Poppleton, Healaugh, Beningbrough and Acomb Grange. The wood was described as having 106 acres divided into 14 coppices. These were 'sett with underwood of the kynds of hazzel and sallow of sundrie ages and also well sett with fair timber trees'.

In 1545 Acomb Grange had been leased for three lives to Ralph Bagnall, king's servant, and Richard Mainwaring and Mary his wife, late wife of George Cotton.³⁶

George Gayle, who had purchased a reversion of the lease in 1553, left it to his son Francis.

In 1557 Sir Arthur Darcy purchased a licence from the crown to grant the reversion of the lease to Francis Gayle and Anne his wife. This was all part of the speculation in monastic

One hundred and fourteen trees had been taken since the Dissolution, of which 58 had gone to a new barn in Poppleton and 58 towards the repair of the King's mills, i.e. Castle Mills, and certain tenements in Heslington. Forty seven had been felled by warrant of Leonard Beckwith, of which 37 had gone to repair the King's tenements in York.

The arithmetic is shaky and the evidence was angled towards proving that Leonard Beckwith was exploiting his position, but it gives a snapshot picture of the wood. By 1552/3 most of the mature timber must have gone since George Gayle, the new tenant, received six timber trees from Poppleton wood to be carried to Acomb Grange. It likely that these were for repairs by the incoming lessee. (see below).³³

But, in 1556, when George Gayle died, he left his wife Mary '3000 wood yerely forth of Acorn Wood to be redy made carryed and layd at her dore'.³⁴ There is also evidence in the Acomb Manor Court Rolls of theft of wood from Acomb Grange by Acomb tenants.³⁵

property.

Bagnall and Mary Cotton had also received Foston and Kirby on the Hill and had as rapidly sold them again.

George Gayle, the receiver of the trees, a goldsmith and Mas6ter of the Royal Mint, had also obtained a lease of Rufforth rectory and is recorded as a farmer ie lessee of the manor of Acomb, in 1553, as well as the site of Wilberfoss Priory.³⁷

George was a wealthy man. He had been M.P. for York in 1533 and was Alderman from 1529-56.

The Crown found his services as Master of the Mint so valuable that an instruction came from London 'Understandyng that ye mynd tellecte George Gaill to the rome of Maryyaltie, the same beyng under tresouer of the mynt shall not be able to supple bothe chargs. .. therefore we requyre that.... ye will forbere telecte hym your Maier' .³⁸ He was endeavouring to set up his son as a member of the landed gentry.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

[Clicking on the reference numbers will show ref details](#)

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 11

Francis Gavle and his descendants at Acomb Grange.

Francis Gayle, George's son was described as of Acomb Grange, although when he died, a survey of his lands dated 1561/2, when his son Robert was five years old showed that though he held Wilberfoss freehold, Acomb Grange was still held as a reversion on the original lease to Ralph Bagnall.³⁹

It is interesting to note that despite its absence from the muster rolls the Grange does appear on Saxton's map of Yorkshire of 1577.

The Inquest Post Mortem for Robert Gayle in 1585/6 records that he held the site of Wilberfoss Priory, Nunpallions in Escrick,

In his will, he requested that he be buried at Rufforth 'nigh unto his children'. He left his wife silver cups, a nest of bowls with a cover parcel gilt, 'a litle salt and a chayne of gold'. Francis had his pedigree and arms recorded by the heralds in 1563/4.⁴⁰

The arms are described as 'azure a fese between 3 sawtrells argent on the fece 3 lionsheads erased Azure. The crest to his armes on a wrethe Argent and Azure an Unycornehede paly of 6 Argent & Or'. In 1584 Robert, his son, was one of the gentry whose arms were painted in the frieze of arms in the great chamber at Gilling.⁴¹ The family is not listed in the muster rolls for the Ainsty.

This is a puzzling feature until one realises that as Robert was five years old when his father died and, when Robert died in 1585/6, Francis, his heir, was aged only four years eight months and 15 days, they were too young to have been included in the muster rolls which survive; for example, in 1569 Robert would have been 13 years old. Robert Gayle left this servant William Harrison a £5 a year annuity in 1585/6 and, in 1569, a William Herryson had provided armour from Rufforth in the Ainsty rolls.⁴²

John Ingleby of the Ripley family is described as of Acomb Grange in 1573. He appears in the Subsidy lists from the 1560s as having the wardship of Robert Gayle.⁴³

Rufforth rectory and Acomb Grange. He held the last from the Crown by 'military service for a rent of 22s 6d. [This rent was still being paid as a fee farm rent to the Earl of Bridgewater in the 19th century.]

The military service was a carryover of a feudal tenure that ensured that the heir had to pay a fine to inherit and, if he was under age, the wardship could be granted out by the Crown for a fee.

The Grange seems to have continued as a leasehold property into the reign of James I.⁴⁴

Like the Methams, the Gayle family were Roman Catholic and intermarried with other Yorkshire Catholic families, such as the Mallorys and Thwengs; but they are not as noticeable in recusant records as some of their contemporaries.

Perhaps they were more successful at dodging the law by moving from property to property. However, in an undated Elizabethan list of priests and Catholics, 'Mr Gayle of Acame Grangre nere Yorke doth lye sumtymes at Carlton. He hath been eight yeres maryed and yet never came at the church. He was marryed at the masse. He hath vi children who were all christened by the old lawe'.⁴⁵

Article continues on this page at column 2

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 12

In 1581 Tristram Tyldesley, priest at Rufforth and vicar of Acomb, had been in considerable trouble for dancing at a rush bearing at Rufforth church, where he 'very unseemely did dance skip leap and hoighe gallantly'.

In the evidence Tristram describes dancing at Mr Gayle's house 'in the times of Christenmas

Despite their problems, the Gales persisted in their Catholicism. Matthew Gale, son of Francis and Barbara Gale, is recorded as a student at Douai College in 1629. He had been there earlier but had returned home for four years.

He was in trouble for not keeping up with his

and harvest.. amongst other honest yonge company'. He was suspected of being a papist or 'mislyker' of the established religion. ⁴⁶.

From 1611 onwards the Gayles were certainly presented for recusancy in a number of Ainsty parishes including Rufforth and Acomb. They also appear in Nether Poppleton, Bilton and Marston. In 1603/4 Barbara Gayle appears in Marston; Barbara, wife of Francis Gayle of Acomb Grange, appears in 1611 and Francis Gayle Esq in 1633/37. Catholics were presented for not attending church or not going to communion or for being recusant. ⁴⁷.

The Gayles (or Gales) were in the last category so almost certainly would have had their estates sequestered and would have had to pay two thirds of the rents to the Crown. They compounded for their estates in 1629 when they agreed to pay an annual rent charge of £20 on all their estates in return for not being molested. ⁴⁸

Life was extremely hard for Catholics; they found it difficult to resort to law, paid extra taxes, were fined for not going to church and the gentry had to provide a light horseman for the militia as well as only keeping a rent charge from their estates.

Not surprisingly they found it difficult to make ends meet and were often heavily in debt. Richard Cholmondley's Household Book⁴⁹ provides a fascinating picture of the problems of a Catholic family of this period at Brandsby.

Much depended on how zealous the local authority was. In this case the authority was York, who seem to have allowed more Catholics to slip through the regulations than in other areas.

work and refusing to provide a 'discourse for the Ascension'. He was supposed to do a penance in the refectory, i.e., he was to spend an entire lunch time kneeling and also write an essay. He disappeared from the college at that point but returned later, did his penance, completed his studies and returned home having matriculated in logic. ⁵⁰

He was recorded in Heworth in 1640 and was regularly presented as a recusant in Rufforth from 1657. He married Ann Thweng, a member of another staunch Catholic family.

A Robert Gale, probably Francis' elder son, was recorded as a 'papist in Arms' in 1648. Under the pressure of debt the Gales had mortgaged part of Acomb Grange in 1607-8 and sold their property in Wilberfoss and Escrick and the advowson of Rufforth.

They had also settled their properties on trustees on the occasion of Robert's marriage to Elisabeth Langdale in 1624. In addition they sold a property in Acomb to one Peter Hill and it may be noted that one of the fields is later called Peter Hill wood.

This is probably the same Peter Hill of Acomb whose name is remembered in Clifton as the source of a local annual charity dole and who has a road named after him.

Robert Gale fought in the civil war but was unable to pay his fees for compounding and all the family property in Rufforth, including Acomb Grange, was sold by the Treason Committee of the Commonwealth in 1652 to Thomas Raper and Joseph Micklethwaite of York for £4,002 2s 2d. ⁵¹ At the time there were seven Rufforth tenants holding messuages, arable strips, meadow and parts of Smalwith. One was Matthew Gale.

Article continues on this page at column 2

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

The purchasers passed the Grange and the closes listed with it, except the Somergames and Mossie Spring, to a London merchant, called John Lawrence, for £1,200. In 1659 John Lawrence sold his interest to Thomas Creswick, a Sheffield cutler, who immediately transferred it to Edward Gaile, clock-maker of York.⁵²

By this time both the Somergames closes and Mossy Spring and a group of closes north of the old Wetherby road were excepted. Edward Gaile then leased it back to Robert Gale for 99 years at £78 per year.

The story is difficult to untangle as some of the transfers may be mortgages; certainly Robert Gale seems to have borrowed £5,200 from Edward Gaile.

The attempt to keep the property in the family failed and in 1663/4 the estate was sold to the Marwood family of Little Busby for £3,800.

The Gales procrastinated over moving out and a legal agreement had to be made that they would vacate the Grange by Lady Day in 1666.

They were recorded in the Hearth Tax in 1665 with one house of five hearths and one of four.

They seem to have continued to live in Rufforth, possibly in the village in one of the other properties acquired as part of the St Leonard's lands, as they still appear with four hearths in 1670.⁵³ They continue in the lists of recusants for Rufforth until 1682, long after Acomb Grange had passed into other hands.

A later copy of the Parliamentary survey originally made for the Treason Committee gives all the field and wood names.⁵⁴ The field names include Mossy Spring pasture, Micklemore close and Micklemore, Over and Nether Spring, and Skawger flatt. Great Somergames and Lee Somergames, Armithwaite and Smawith are other names that remain from the medieval St Leonard's records.

Article [continues](#) on this page at column 2

Article [continues](#) on next page at column 1

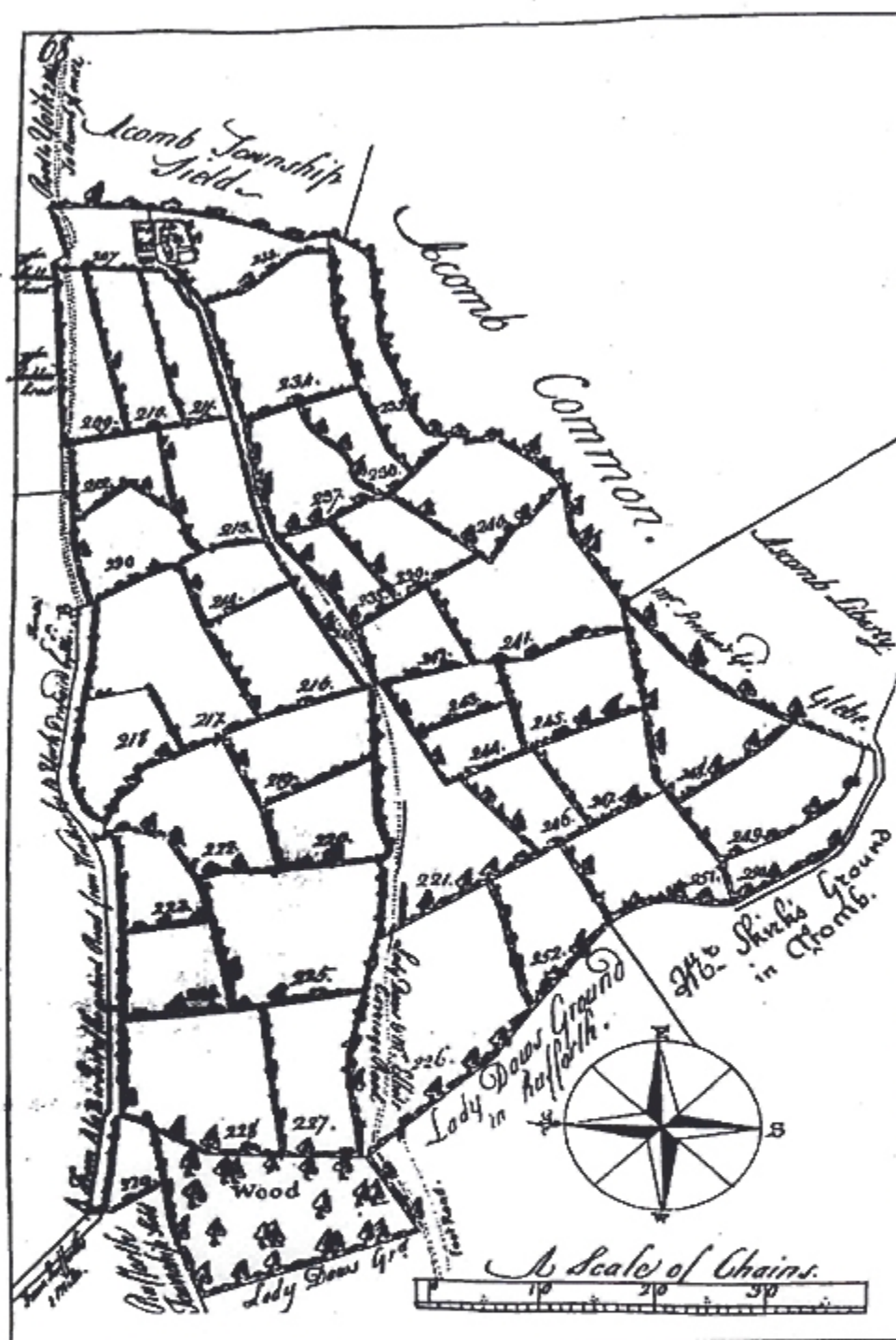
Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 14

Map of the Acomb Grange property owned by the Marwood family 1760.

Reproduced by permission of NYCRO (ZDU 82 mic 1294 fr 2079)



Map 3

Map of the Acomb Grange property owned by the Marwood family, 1760. Reproduced by permission of NYCRO (ZDU 82 mic 1294 fr 2079).

Figure 3

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 15

The estate under the Marwoods

Henry Marwood of Little Busby bought the Acomb Grange site and the land lying to the south of what is described as 'the old road to Wetherby now a bridleway' (Figure 3).

The 1671 Hearth Tax for Rufforth records a house of seven hearths.⁵⁵ The land to the north of the road had been sold to Nicholas Blackbeard or Robert Swan, and Mossy Spring, Scawgerwood flat, Great Somergang and Somergang leaz were sold to Christopher Adams in 1652/3.

Christopher Adams' purchase probably represents the land originally granted by Geoffrey and his family in Rufforth, except the tofts and open field land and the area called Smalwith. In the deeds for sale all the properties may well have been described as Acomb Grange als Rufforth Grange.

Ultimately both the other blocks of land acquired farm houses and both were called Rufforth Grange. Indeed, in the 1851 census all three properties are called Rufforth Grange. An 18th-century map of the Acomb Grange property exists and it is possible to deduce that Mossy Spring and Scawgerwood flatt were the St Leonard's properties in Rufforth, the Moschawe of the 1231 grant, and then became the Rufforth Grange on the airfield.

It later passed into the hands of the Lascelles family. They made very good maps of their estates and these enable one to identify Mossy Spring or Moschawe with a group of fields to the west of Mossy Lane, which used to lead from Rufforth to Askham Bryan. It is now cut by the airfield.

This may have been the route taken by the medieval carts to the River Ouse at Middlethorpe. The other field names recorded in the Harewood estate papers are less informative.⁵⁶ Rape close, Cow pasture, Muckhill and Pighill lay between Rufforth Grange and the Askham Bryan boundary.

These may be the former Somergames closes. The funnel shape of the field boundaries leading from the broad lane towards the Rufforth boundary may be the relic of an 'outgang' to summer pasture possibly originally shared among a number of townships.

The Scawegar wood flatt, possibly the scalerkerflath, was sold with the Somergames closes and may well represent the land on the airfield to the north of Rufforth Grange. The names in 1760, North Close and Winter Close are again unhelpful.

In 1664, 24 acres of Shawgar flatt wood and 25 acres of Laithe wood were in Marwood's ownership and therefore probably represent the woodland over the Foss, which is marked on the 18th-century maps and the first edition O.S. map adjoining the Winter close and North close.

Some of it still remains on the edge of the airfield. It does support some woodland species, such as bluebell and wood anemone, but is chiefly remarkable for the remains of shelters and dispersal bays from the Second World War. The original Acomb wood is represented only in field names - Outlaw wood, Pullen wood close, Buttery wood close, Thyman or Butcher wood close and, in 1664, Peter Hill wood and Horse wood. By 1760 Horse wood was still a field name, as is Paterkill wood! Now the only reminder of the original wood is the name Woodhouse farm.

The woods, as in the time of St Leonard's, were not let out with the farm but were kept in demesne by the Marwoods. In 1707 there are payments for clearing rubbish underwood at Acomb Grange and, in 1778, the wood may have been clear felled, as there were sales of ash trees, 33 loads of firewood and 1,200 stakes.

Mr Priestman, the York tanner, bought 25 quarters and seven bushells of bark and, though 200 handbills were printed to advertise the wood, no cash is recorded from oaks sold. It is interesting to note how similar the expenses are to those incurred 200 years earlier.

Once again ditches were dug out, 6 ft wide and 3 ft deep, and the hedges by the beck and against Rufforth were cut and laid. They were described as 31 acres in length! The ditch on the west side of the wood was 4 ft deep 2.5 ft wide and 11 acres 3 roods in area.

In 1809 Mr Dodsworth, the York timber merchant, bought timber and Mr Priestman, the Marygate tanner, once again purchased the bark. In 1866 sales on ash trees raised £48 17s 4d. oaks, £188 4s 3d and bark, £114. There were 19 tons of it in all.

Article [continues](#) on this page at column 2

Article [continues](#) on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 16

John Etty's plan for a house at Acomb Grange , 1694

Reproduced by permission of NYCRO (ZDU mic 1294 fr 2255)

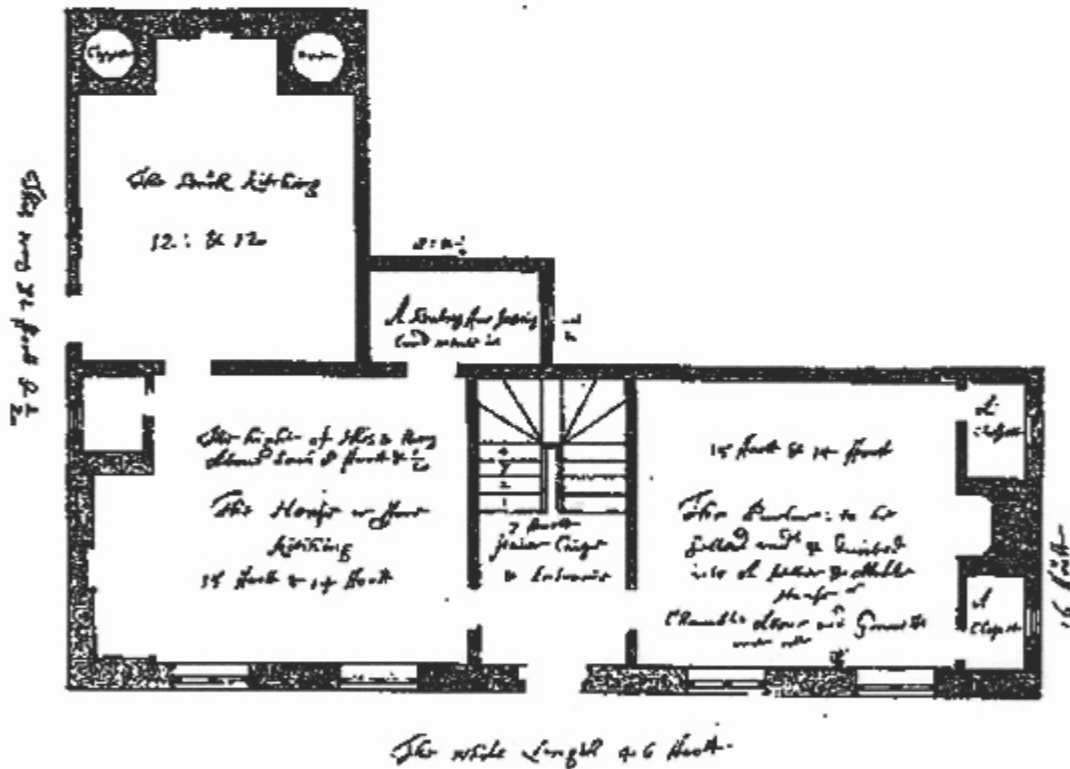
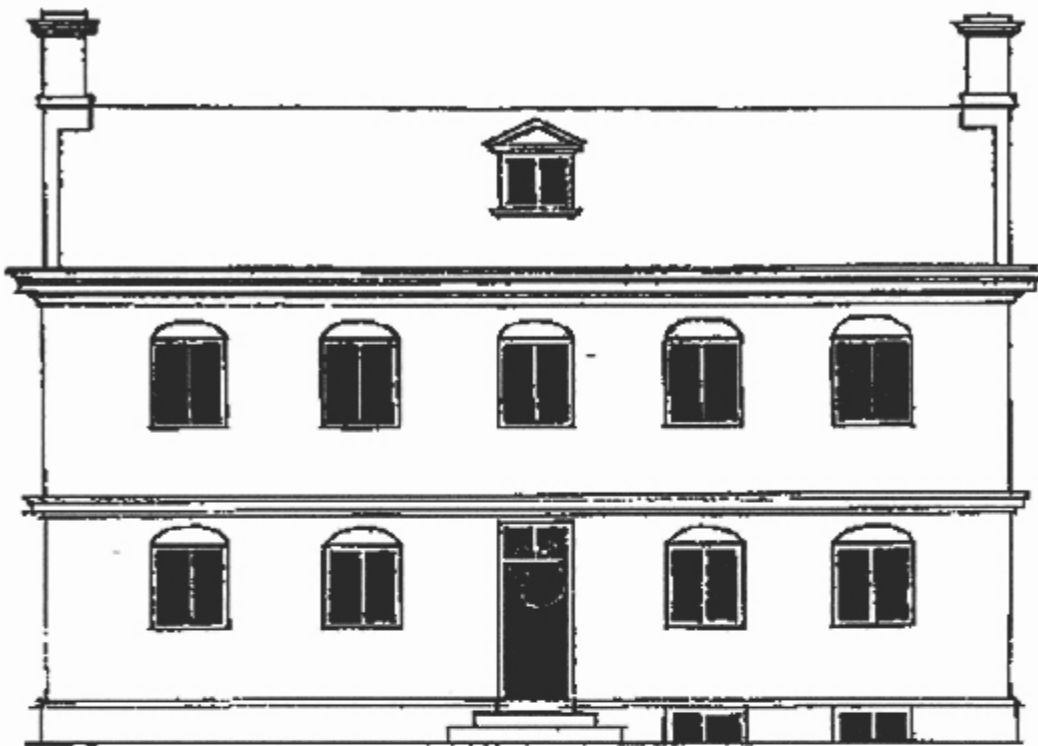


Figure 1

John Elly's plan for a house at Acomb Grange, 1694. Reproduced by permission of NYCRO (ZIM) mic 1294 jr 2255).

Figure 4

Article continues on next page at column 1

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 17

The history of the house is a puzzle. All that is known of the earlier building is that in the parliamentary survey of c.1650 there was a manor house, the ancient seat of good family, old fish ponds, a good dove cote and a very brave barn.

Three orchards of good fruit trees produced a tun or two of cider every year. Henry Marwood is recorded as paying tax on seven hearths in 1670.⁵⁷ suggesting that it was a reasonably substantial house which could have been used by him when he visited York.

His father George, in 1669, wrote 'For this at Acame you must resolve to build there if you will see your own money from it. In the meane time I ordered Soulbey to find out a tenant for the low house'.⁵⁸

Today two houses adjoin each other, one single piled, the other a substantial double-piled building. The puzzle is how long has this pattern existed?

In 1694 John Etty, the York architect, provided a design for a new farm house (Figure 4). 'The olde buildings now standing are soe meane and measurably out of repair that their can nothing be don to them it will be money thrown away and the dwelling house soe ill contrived thatt their is no conveniency.' John Etty had been City husband in charge of York Corporation property and had designed St John's church in Leeds and rebuilt the west wing of Temple Newsam.

His epitaph was 'By the strength of his own genius and application had acquired great knowledge of Mathematicks, especially geometry and Architecture in all its parts far beyond any of his contemporaries in this city. . . .'⁵⁹

From evidence in Etty's letter there were two buildings which were built of brick and tile and which had some timbers worth saving.

The agent pointed out that there were but three rooms to a floor and that it might be better to have four so that it might suit a gentleman or tenant.

The problem is whether Etty's house was built and, if so, was it the smaller surviving house or on the site of the larger one? The current situation of two adjoining houses appears to date back to at least the 18th century.

In 1760 two brothers divided the farm between them and there is mention of the low house. The contemporary map shows one house but is illustrative rather than accurate. A sale plan of 1810⁶⁰ shows that the larger house was there by then.

There is a strong possibility that the smaller brick-built house may be Etty's farmhouse. The detailing over the windows, now seen as shadows in the brickwork, and the mark where there was a string course can just be made out and stones have been reused in the side wall.

It is of course possible that the larger house was rebuilt with Etty's detailing and the smaller built to match, with the farmer and the gentry tenant living side by side.

In 1725 when Lord Harley, the future Earl of Oxford, visited York he described Bishopthorpe, the home of the Archbishop, and Middlethorpe Hall as lying on one side of his road, and Askham Moor, a marshy bottom, and 'Askham Grange Sir Harry Marwoods' on the other; by then, therefore, it was large enough to be a landmark⁶¹ yet throughout the 18th and 19th centuries all the tenants were farmers.

[Clicking on the reference numbers will show ref details](#)

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 18

The problem can only be solved by an internal examination of both houses. There were extensive repairs in 1809-13 which may well have been almost a rebuild.⁶²

They include 29 yds of floor boards, flags for a passage floor, a hearth and back hearth in a low room, and the hanging of 12 doors. Another bill includes '57 ft of architraving, roofing and joisting the dwelling house and ceiling joists in kitchen and house, sash windows and window shutters and the building of stairs, 4 yds 6 ft at 9s a yard'. This seems more than an ordinary repair job, possibly a large-scale extension.

The farm was a mixed farm. When Marwood took over from the Gales the agreement included payments for acquiring 19 loads of maselin, harrowing and gripping and laying compost and manure on the fallow and sowing the maselin.

Twenty one quarters of oats were sown in the old hard corn field, a process which included 44 'plowings', presumably days of ploughing. At first most of the closes were let out to different men and only a few were kept in hand. In 1685, Henry Marwood let the Grange to Henry Boswell and the tenancy agreement restricted the ploughing to no more than 40 acres and the cutting of wood to that set out by the landlord.

If Marwood had not moved his stock by a certain date, the tenant could go on pasturing his stock for the same amount of time after the end of the lease. The apple trees mentioned in the Parliamentary survey were still producing fruit in 1683: the agent at Busby, the main estate, was very worried because the wet weather had made the ways so bad that no one would go to fetch the apples.⁶³

A survey of 1760 has the farm divided between William and David Ward. It shows that wheat, oats, barley and beans were being grown, but

William Ward's farm grew wheat, beans and flax and various comments were made on fields being badly laid to grass with furze and thistles, pasture spoiled by bad management and the flax crop spoiled by thistles. His successor, John Ward, was criticised, though not as fiercely, in 1783 when he gave up his tenancy. He was allowed to reap his crop and take away the helms and was allowed £63 for repairs.

In 1810, when the Marwoods put the farm up for sale, the tenant was John Jolly. By this time some of the closes had been divided and several had changed their names. Only 42 acres, a block in the centre of the farm, were actually sold; the remainder stayed in the hands of the Marwood family with a Jolly as tenant until at least 1865.

The fee farm rent was still being paid in 1903 and in 1911 the Great Ouseburn District Council paid the Marwoods a rent for a rubbish tip. This, incidentally, was very unusual at that time. In the district council area only Boroughbridge had had a scavenger and a rubbish tip by this date. Places like Heworth had to wait until the 1930s. This tip was for Acomb rubbish and was a dip in a field, possibly an old sand pit. The district council paid to fence it.⁶⁴

The rent received for the Grange, £453 in 1903, made it one of the Marwoods more productive properties.

At this point there was a change of tenancy and the farm valuation included raspberries and gooseberries, a turnip house, a barn, threshing machine and a chain pump, as well as a blacksmith's shop, gates, mangers, etc.

The blinds and rollers in the house and the table and shelves in the dairy were allowed for, as well as a house called a Hind house. It was described as a dairy farm in 1909, when the well water was tested.

there was more pasture than arable.

[Article continues on this page at column 2](#)

[Article continues on next page at column 1](#)

[Clicking on the reference numbers will show ref details](#)

[Return to start of article](#) | [Go top of this page](#) | [about the author,Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 19

The Marwoods were absentee landlords leaving most of their affairs in the hands of a Durham firm who did the annual accounts, the occasional surveys and ventured south to deal with valuing land and estimating injury by severance when a proposal to build the York Leeds railway was made in 1845/6.

As this would have crossed the entire length of the property on a line south of the wood and of the main farmhouse, it would have been devastating to the farm. The plan was to end the line in Micklegate, on the line of what is now Priory Street, so it would have had equally devastating effects on York;⁶⁵ but it was never built.

The problems of injury by severance occurred again in a heightened form in the 1980s when the York ring road was built across the farm but without the bridges and underpasses that the railway would have had to provide for farmers.

The estates were entailed but by 1922 were running at a loss and more and more land was being sold. Rents for Acomb are not mentioned after 1923.

The modern farm suffers from being split by the ring road and from damage done to crops in fields adjoining the housing estates. Etty's farmhouse is not in use at present, though the main house has recently been reroofed.

A timber and brick barn on the site, presumably the 'brave barn' of the parliamentary survey, was examined in 1972 by the Royal Commission on the Historical Monuments of England and tentatively dated to the 17th century.

Many of the old hedges have also disappeared but the original boundary between Acomb and the Grange shows up more clearly than ever, as it now forms the boundary of the City of York and of the Chapelfields council estate.

The boundary between the Long Ing (Meadow) and a close called Clappers in 1760, which still has traces of ridge and furrow,⁶⁷ and a pond from the Little Pond Close of 1760 still shows up in a 1989 photograph but is not marked on the OS map.

The pattern of fields on an aerial photograph of 1967-68 is still much the same as that shown in 1760, but has now (1991) almost gone. Even the old wood lane, which was called Lady Dawes carriageway in 1760 and Broad Lane in 1852, has been almost obliterated.

The 'ancient road from Wetherby to York' which forms the northern boundary of the existing Acomb Grange property is a bridleway and tractor track. It has clearly defined hedges and a few bluebells as a reminder of its earlier pre-turnpike role through a wooded area.

It used to join the 'New Gate', the current Wetherby Road; but this piece of landscape history was obliterated by the Second World War Rufforth airfield. It is remarkable that any part of the woodland survives, although it is only a small part of the 106 acres that it used to cover.

For the future, with the threat of development on the outskirts of York, it is important that this Grange site is properly protected and recorded. It is hoped that the finding of an

Earthworks survive surrounding the site while pieces of tooled stone lie in hedge bottoms. The ponds, so carefully cleaned out by the Hospital servants, have now gone, but are on the 1852, 1893 and 1975 O.S. maps.

Etty architectural plan and the knowledge that the Grange spent a few years as the residence of Walter de Langton might alert people to its existence and possible significance.

Article [continues](#) on this page at column 2

References and acknowledgments [continues](#) on next page

Clicking on the reference numbers will show ref details

[Return to start of article](#) | [Go top of this page](#) | [about the author, Jennifer Kaner](#) | [About the publishers](#) | [Home page](#)

Acomb Grange by Jennifer Kaner - page 20

Acknowledgements

The author acknowledges the help received from the Record Offices of North Yorkshire, Leeds, York, York Minster and the Borthwick Institute of Historical Research. Permission was given to take exterior photographs of the house by the present occupants of Acomb Grange.

NOTES

1. W. Farrar, Early Yorkshire Charters Vol. I [EYC II, 143 [Return to main text \(1\)](#)].
2. P H Cullum, Hospitals in Medieval Yorkshire D.Phil. thesis, University Qf York (1989). [Return to main text \(2\)](#).
3. EYCJ, 141. [Return to main text \(3\)](#)
4. Lichfield Record Office, QQ 1-10. [Return to main text \(4\)](#)
5. York Minster Library [YMLJ, M2/6b-d. [Return to main text \(5\)](#)
6. W. P. Baildon (ed.), Monastic Notes Vol. I, Yorkshire Archaeol. Soc. Rec. Ser. Vol. xvii (1895), 247. [Return to main text \(6\)](#)
7. A. Beardwood, Records of the Trial of Walter Langeton, Camden Society 4th Ser. Vol. 6 (1969), 307. [Return to main text \(7\)](#)
8. J. Parker (ed.), Yorkshire Fines, Yorkshire Archaeol. Rec. Ser. Vol. 62 (1921), 28, 132. [Return to main text \(8\)](#)
9. Bodleian, Rawlinson B455. [Return to main text \(9\)](#)
10. J. Sheppard, Ceo graJiska Annaler Vol. 48 (1966). [Return to main text \(10\)](#)
11. North Yorkshire County Record Office [NYCRO], ZDU 13 microfilm [mic.] 1350. [Return to main text \(11\)](#)
12. EYC I, 356-7. [Return to main text \(12\)](#)
13. NYCRO, QDP (M) 60. [Return to main text \(13\)](#)
14. C. T. Flower (ed.), Public Works in Medieval Law Vol. II, Selden Society 40 (1923), 320. [Return to main text \(14\)](#)
15. A thrave was a stook of corn from every plough. This usually came to 12 sheaves but varied according to the traditional size of the stook. It may originally have been a thrave from each carucate . . . a royal food tax. [Return to main text \(15\)](#)
16. YML, M2/6c. [Return to main text \(16\)](#)
17. N.B. There is a possibility that these records refer to Acomb itself. Although nothing so far discovered links Walter of Langton with the Treasureship of York Minster, a detailed survey of Acomb and other lands belonging to the Treasurer has been found in the Lichfield archives ~RR3]. The Treasurer of the time was an

absentee Italian! The property referred to in the evidence is sometimes called the Grange of Acomb and sometimes Acomb. [Return to main text \(17\)](#)

18. Calendar of Miscellaneous Inquisitions Vol. III, 202-4. [Return to main text \(18\)](#)
19. Cf. D. Michelmores (ed.), Fountains Abbey Lease Book, Yorkshire Archaeol. Soc. Rec. Ser. Vol. 140 (1981), i-ivii. [Return to main text \(19\)](#)
20. YML, M2/6b. [Return to main text \(20\)](#)
21. Public Record Office [PRO], E101 597 24. [Return to main text \(21\)](#)
22. YML, M2/6d. [Return to main text \(22\)](#)
23. R. Finlayson, 'Oh! What a Lovely Waterfront', Interim Vol. 12 no. 3 (York Archaeol. Trust 1987), 7. [Return to main text \(23\)](#)
24. PRO, E303 26 1206, 1207. [Return to main text \(24\)](#)
25. PRO, E303, 26 1211. [Return to main text \(25\)](#)
26. YML, St Leonard's Wills M2/6e. [Return to main text \(26\)](#)
27. Metham of Bullington, Lincolnshire Pedigrees, Harleian Society Vol. 51(1903), 669. [Return to main text \(27\)](#)
28. E. Peacock, 'Roll of York and the Ainsty Subsidy, 1524', Yorkshire Archaeol. J. 4 (1877), 198. I am grateful to Marjorie Harrison for this reference. [Return to main text \(28\)](#)
29. Testamenta Eboracensia Vol. 6, Surtees Society Vol. 106 (1902), 62. [Return to main text \(29\)](#)
30. PRO, E361/32. [Return to main text \(30\)](#)
31. PRO, SC6 Henry VIII 4601. [Return to main text \(31\)](#)
32. PRO, E315 429. [Return to main text \(32\)](#)
33. Leeds City Archives, GC L02. [Return to main text \(33\)](#)
34. Borthwick Institute of Historical Research, Wills Vol. ISA, f.62. I am grateful to Vivien Swan for pointing out this reference. [Return to main text \(34\)](#)
35. H. Richardson (ed), Court Rolls of the Manor of Acomb Vol. I, Yorkshire Archaeol. Soc. Rec. Ser. Vol. 131 (1969), 4. [Return to main text \(35\)](#)
36. Letters and Papers of Henry VIII Vol. xxi, 777. [Return to main text \(36\)](#)
37. Op.cit. in note 35. [Return to main text \(37\)](#)
38. D. M. Palliser, Tudor York (1979), 92. [Return to main text \(38\)](#)
39. PRO, SP12 21 f.2. [Return to main text \(39\)](#)
40. C. B. Norcliffe (ed.), Flowers Visitation of Yorkshire Harleian Society Vol 16 (1881), 131-2. [Return to main text \(40\)](#)
41. J. Foster (ed), Visitation of Yorkshire, 644. [Return to main text \(41\)](#)
42. York City Archives [YCA], E47. [Return to main text \(42\)](#)
43. Ibid. [Return to main text \(43\)](#)
44. NYCRO, ZDU mic. 1325. [Return to main text \(44\)](#)
45. Catholic Record Society 53, 191. [Return to main text \(45\)](#)
46. Yorkshire Archaeol. J. 15, 242-3; 1. 5. Purvis, Tudor Parish Documents of the Diocese of York (1948), 167-8. [Return to main text \(46\)](#)
47. H. Aveling, 'The Catholic Recusants of the West Riding of Yorkshire', Leeds Philosophical and Literary Society 10 (1963). [Return to main text \(47\)](#)
48. Op.cit. in note 45, 318. [Return to main text \(48\)](#)
49. Publisher NYCRO. [Return to main text \(49\)](#)
50. E. H. Burton and T. L. Williams (eds.), 'The Douai College Diaries', Catholic Record Society 10. [Return to main text \(50\)](#)
51. NYCRO, ZDU 14(13) mic. 1352. [Return to main text \(51\)](#)
52. Ibid. [Return to main text \(52\)](#)
53. YCA, M30: 22, E80A. [Return to main text \(53\)](#)
54. NYCRO, ZDU mic. 1294, appendix. [Return to main text \(54\)](#)
55. YCA, M30: 25. [Return to main text \(55\)](#)
56. Leeds City Archives, HAR Surveys 64 Vol. 3 [Return to main text \(56\)](#)

57. YCA, E80A. [Return to main text \(57\)](#)
58. NYCRO, mic. 1298 fr. 0240. [Return to main text \(58\)](#)
59. G. Beard, Craftsmen and Interior Decoration in England, 1660-1820 (1981), 259. [Return to main text \(59\)](#)
60. NYCRO, ZDU 14 mic. 1325. [Return to main text \(60\)](#)
61. Historical Manuscripts Commission, Report on the Manuscripts of the Duke of Portland Vol. 6 (1901), 93. [Return to main text \(61\)](#)
62. NYCRO, ZDU 14 mic. 1295 fr. 3129, mtc.. 1294 fr. 2302. [Return to main text \(62\)](#)
63. NYCRO, ZDU mic. 1294 fr. 2298. [Return to main text \(63\)](#)
64. NYCRO, Great Ouseburn District Council Minutes, Sept. 1910, mic. 1965. [Return to main text \(64\)](#)
65. NYCRO, QDP(M) 60. [Return to main text \(65\)](#)
66. Photographs and plans can be seen at the York office of the Royal Commission on the Historical Monuments of England. [Return to main text \(66\)](#)
67. Aerial photograph by Anthony Crayshaw, 1989. [Return to main text \(67\)](#)
68. Archaeology Department, North Yorkshire County Planning Department [Return to main text \(68\)](#)

The publishers of the article by Jennifer Kaner

[Return to article on Acomb Grange](#)

The article 'Acomb Grange' by Jennifer Kaner was the winner of the 1991 Sheldon Memorial Trust Essay Competition.

It was published in 'York Historian', volume 10, 1992 a publication of the Yorkshire Architectural and York Archaeological Society (YAYAS), which is a registered charity and was founded in 1842. YAYAS have kindly given permission for this article to be reproduced on the internet.

The copyright vests in YAYAS, and any use of the information in the article must be authorised by YAYAS.

York Historian is a regular publication covering many aspects of the history of York. Back numbers and details of subjects covered in previous issues can be obtained by emailing a request to enquiries@yorktour.co.uk. Your enquiry will be passed to the publishers for them to deal with.

[Return to article on Acomb Grange](#)

About the author , Jennifer Kaner

Reproduced with kind permission from the Yorkshire Evening Press of September 28th 2000

[Return to article on Acomb Grange](#)

TRIBUTES have been paid to Jennifer Kaner, "York's foremost local historian", who has died aged 64 following a long and brave fight against cancer.

A memorial service for Mrs Kaner, whose husband, Ralph, is a former managing director and chairman of Rowntree's Confectionery Division, will be held at the Friends' Meeting House in Friargate, York, at 2pm tomorrow.

Born in Kenya, she was educated in Somerset and at London University, working for Clarks Shoes in Street, Somerset, before becoming a personnel officer at Rowntrees in York.

Mrs Kaner was a major figure in local history circles, starting classes for the Workers' Educational Association (WEA) where students researched their own areas.

The first was at Burnholme School focusing on Heworth and Tang Hall. Clifton, Helperby, Fulford and Skelton followed. At South Cave her group later produced their own publication with her help. She was a past chairman of

the WEA York branch and a member for over 20 years.

Current chairman Mrs Terry Fowler called her contribution to local history "immense", adding: "She was very popular and very helpful to people."

York city archivist Rita Freedman said: "York has lost its foremost local historian. Jennifer Kaner has been responsible in a large part for the great strides forward in local history taken over the last 20 years."

She had given tremendous support to the city archives and its researchers for the last 23 years.

Dennis Brewster, treasurer of the Yorkshire Architectural and York Archaeological Society (YAYAS), said Mrs Kaner had been its lectures secretary until forced to retire a year ago.

She kept lecturing and researching until recently despite being in considerable pain. He said: "I thought she was an extremely clever and also very humane and very unselfish person."

Dr Ron Butler, former president of the Yorkshire Archaeological Society and former editor of the Yorkshire Archaeological Journal, said Mrs Kaner represented YAYAS on the Yorkshire body.

"She was energetic and persistent in her research, and helpful to other people with information that she had found. She was generous to other scholars," Dr Butler added.

Research by Mrs Kaner on local volunteering was used in the formation of York's Council for Voluntary Service (CVS).

Its general secretary, Colin Stroud, said: "She played a key role in the development of the CVS itself and the volunteer centre."

In addition to her husband, Mrs Kaner leaves three sons, David, Tim and Ben, and four grandchildren.

[Return to article on Acomb Grange](#)

Last modified 04/12/2002

**Tab 14 – Highways Act 1980 Section
31(6) deposits**

72/6/9

NORTH YORKSHIRE COUNTY COUNCIL

HIGHWAYS ACT 1980 SECTION 31(6)

NOTICE OF INTENTION NOT TO DEDICATE PUBLIC RIGHTS OF WAY

Land situated at...ACOMB GRANGE, GRANGE LANE, Acomb, York
(Shown edged red on the attached plan.**)

I/We ANDREW PAUL STILES

- a) acknowledge the public footpath/s (shown purple) and/or the public bridleway/s (shown green) and/or the byway/s open to all traffic or the road/s used as a public path/s (shown brown) on the plan.
- b) declare that it is not intended to dedicate any further public rights of way on or across the land.

I/We understand that this notice is effective for six years and that to prevent further public rights of way from coming in to being it must be followed by statutory declarations, at not more than 6 yearly intervals, that no additional rights of way have been dedicated.

Signed:-...R. P. Stiles.....Date:-...5/1/94...

NAME	<u>ANDREW</u>	<u>STILES</u>	
ADDRESS	<u>ACOMB</u>	<u>GRANGE</u>	BLOCK
	<u>GRANGE</u>	<u>LANE</u>	CAPITALS
	<u>ACOMB</u>		PLEASE.
	<u>YORK</u>	<u>YO2392</u>	

Where the Notice of Intention is completed by an Agent on behalf of the Owner please supply the name and address of the Owner:-

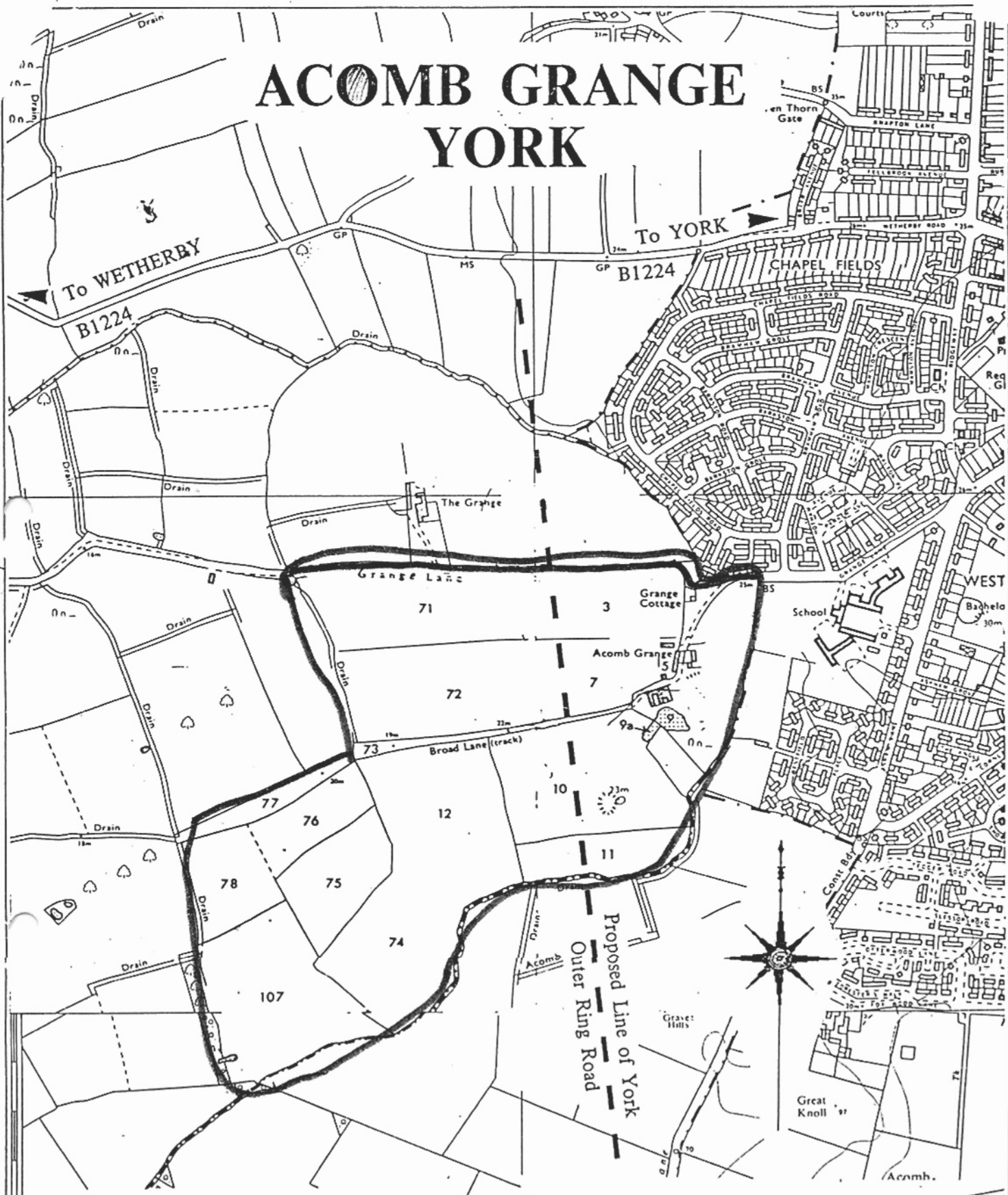
.....)	
.....)	BLOCK
.....)	CAPITALS
.....)	PLEASE.
.....)	

Completed form to be returned to:

County Surveyor
Highways and Transportation Department
North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AH

** Note!! The accompanying plan must be of a scale not less than 1:10560 (6 inches to the mile)

ACOMB GRANGE YORK



This Plan is reproduced from the Ordnance Survey Map with the sanction of the Controller of H.M. Stationery Office. Crown Copyright reserved.

This Plan is published for convenience of identification only and although believed to be correct its accuracy is not guaranteed. It is expressly excluded from any contract.

Scale: 1:10,000 or 6.336 Inches to 1 Mile

BARTLE
Commercial

1 Bridge Street • Tadcaster • North Yorkshire • LS24 9AW • Tel: (0937) 833692

CHARTERED SURVEYORS • AUCTIONEERS • VALUERS
ESTATE AGENTS

High Moor_Closed

Statement of Landowner as to Denied Highway
under Section 31 (6) of the Highways Act 1980

To North Yorkshire County Council

I hereby deny that any of the undermentioned ways shown on the
accompanying map deposited by me with the North Yorkshire County
Council on the 3rd day of July 1981 and thereon coloured brown
have been dedicated as highways

Schedule

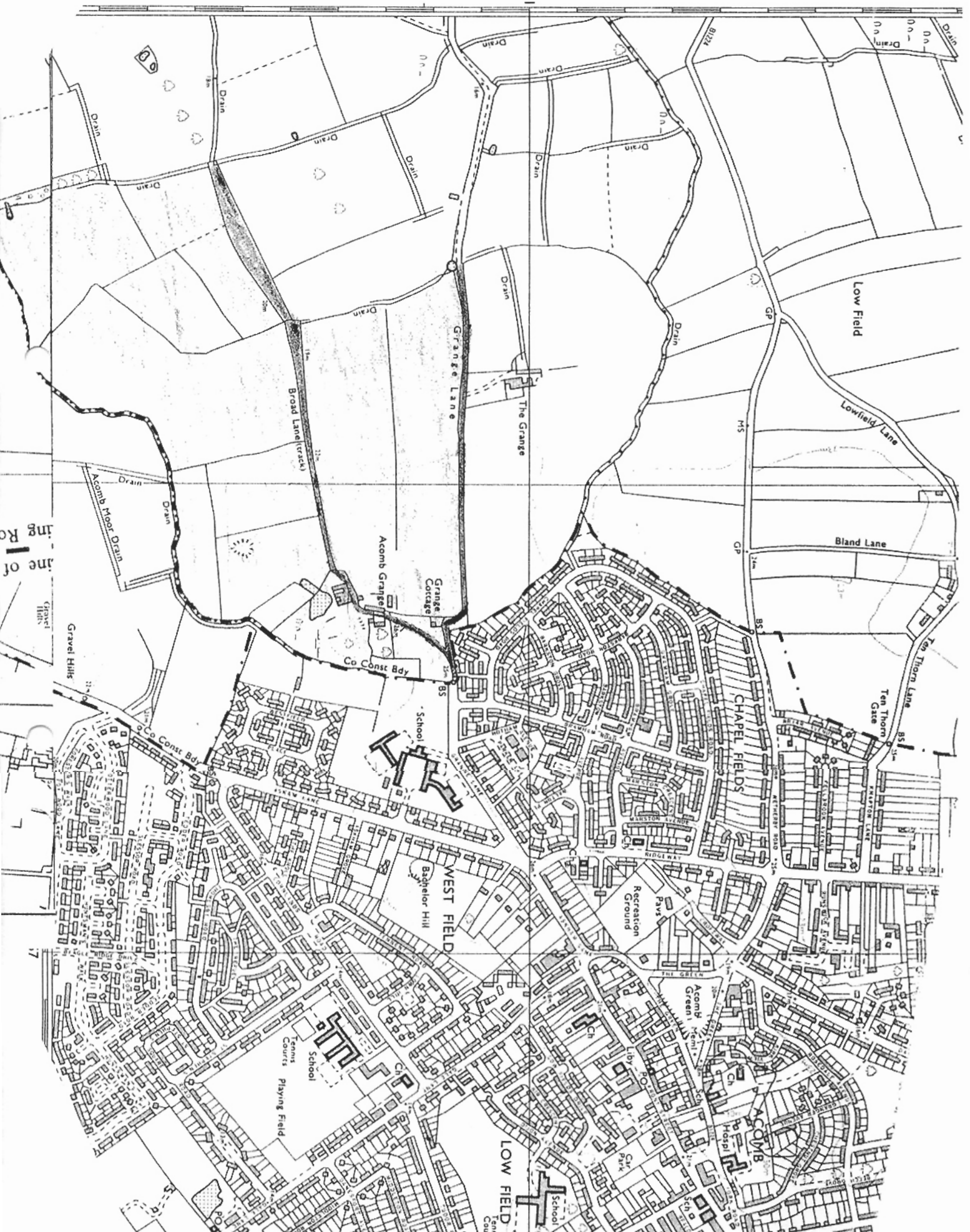
- i Grange Lane westwards from about halfway between it's
junction with Brimham Road and Grange Cottage
- ii Broad Lane south and then westwards from it's junction
to Grange Lane
- iii No other paths are recognised

Signed.....
Owner

Dated the 6th day of July 1981



WEST RIDING ADMIN CO



Telephone - NORTHALLERTON 3123 Extn. 498

Dicto 275

Our Ref: HT DJB/AFL

Memorandum from the Chief Executive and Clerk of the North Yorkshire County Council

Your Ref: 72/6/96 72/50/72
PRW/DF

County Hall, Northallerton

This matter is being dealt with by Mr. Bramhall

TO: COUNTY SURVEYOR

(For the attention of Mr. Fawcett)

N.Y.C.C. H. & T. SEPT.	
Recd.	22 SEP 1981
Sent to	DF
Arks	

Grange Lane, Rufforth

I refer to your memoranda of 10th July, 7th September and 16th September 1981, and to the telephone conversation between Mr. Fawcett and my assistant Mr. Bramhall.

I understand that Mr. Sykes has only recently taken over ownership of the land in question and that the plan lodged on 3rd July, 1981, and the Statutory Declaration subsequently lodged on 6th July, 1981, are the only evidence deposited with this County Council or any of its predecessor authorities under Section 31(6) Highways Act 1980, and relating to this lane.

As you will be aware, Section 31 of the 1980 Act deals with the circumstances in which the dedication of a public highway may be presumed after 20 years continuous user as of right by the public. The various sub-sections of that section deal with the evidence which may validly be put forward in support or in denial of such a presumed dedication. In most circumstances, however, it is specifically stated that such evidence is rebuttable and this is the case under sub-section 6, where the evidence may be lodged with the Council under the machinery set up by that sub-section may be rebutted by evidence of a contrary intention on behalf of the landowner. Furthermore, the sub-section relates to evidence of the landowner's intention and gives special importance to the evidence of that intention during the period between the date upon which a plan is deposited with the Local Authority and the date or dates upon which the landowner or his successor subsequently lodges Statutory Declarations with the Council. Therefore, in the present case, the evidence under Section 31(6) would appear to apply only to that brief period between the 3rd and 6th July, 1981, and not to any period prior to that time. It would, therefore, seem that the evidence form supplied by the Ramblers' Association do provide, prima facie, evidence likely to rebut that deposited by the landowner in as much as they address themselves to a long period of time, many years prior to the ownership of Mr. Sykes.

It would not, therefore, appear that the evidence forms are themselves null and void. Indeed, it is difficult to envisage any circumstances in which they could be considered so. If the evidence forms in a particular case relate only to a period, the whole of which is covered satisfactorily by evidence supplied under Section 31(6), could that latter evidence be said to effectively nullify the evidence forms. This would simply be because of the provisions of the sub-section. In the usual case, however, contrary intention will no doubt be available on both sides, and will need to be tested in court.

You will realise from the above that I agree, in general terms, with the contents of the third paragraph of Mr. Nunn's letter of 11th September. Similarly, the contents of the fourth paragraph of that letter would seem to be correct, with the caveat that your staff will generally take all

reasonable steps to bring to the attention of a prospective purchaser the existence of a dispute as to the status of a track or way over land to be purchased. I attach, herewith, a copy of the letter which I have written to Mr. Nunns and you will also note that I have informed County Councillor Galloway of my comments to the Ramblers' Association in the light of the fact that their most recent letter was copied to him.

In the present case, I shall need to know the full facts before being able to make any detailed comment on the other matters raised in the Ramblers' Association's letter of 11th September. I note from their earlier letter of 4th September that your Department has had correspondence on the status of the path over a period of five years, and no doubt this correspondence will throw light on the relevance of the action of the Air Ministry and of the "Map of 1880 accompanying the Deeds and Bill of Sale of one of the farms". There is presumably scope for a great deal of further negotiation before any question of court proceedings arises, if at all. Indeed, this is a matter which may well be dealt with under procedures which appear to be included in the Countryside Bill at present before Parliament. I note from the evidence forms that there is already a certain amount of inconsistency as to whether the path claimed as a footpath or bridleway. Similarly, I presume that it would also be necessary to contact previous owners of the land, and that this may well include investigations of the Air Ministry.

I would be grateful to receive your comments and, in particular, details of past evidence which has been put forward by any interested party as to the status of the lane. It would seem that, from a practical point of view, the Ramblers' Association is happy to accept a locked gate, provided that this can be satisfactorily by-passed by way of a stile or similar means. It then simply becomes a matter of whether the landowner accepts the existence of a right of way over his land.



21st September, 1981

Tab 15 – Objections

Our ref B0806b08/ 25 BNB

17 September 2008

Robin Carr Associates
2 Friarage Avenue
Northallerton
DL6 1DZ

1 BRIDGE STREET, TADCASTER
NORTH YORKSHIRE, LS24 9AW

Telephone: (01937) 835303

Fax: (01937) 530435

e-mail: mail@bartles.co.uk

web: www.bartles.co.uk

Your ref: RCA/CYC/001

Dear Mr Carr

**WILDLIFE & COUNTRYSIDE ACT 1981
GRANGE LANE**

I refer to your letter of 14th August and can confirm having conferred with clients in respect of the issues here.

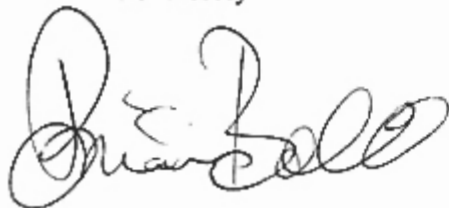
I return the questionnaire duly completed but understand that one of my principals may have spoken to you in forthright terms and as far as we are concerned and notwithstanding the practicalities of use and dangers, are reliant and hold that the views previously expressed by ourselves and supported by Mr Taylor submitted by us 18th February 2003 are still good and we should still support the points made vigorously.

And or in the alternative should these claims not be founded then we should seek to ensure that the Natural Environment & Rural Communities Act 2006 be applied to exclude any rights for mechanically propelled vehicles.

Likewise I assume that other elements of correspondence dealt with contemporaneously are still available to you.

Finally it is clearly the case that our client has already been put to some not inconsiderable expense on this matter and we should be pleased if you could report that it is proper for the Authority to reimburse the costs in view of the extent to which we have had to challenge clearly at best doubtful evidence regardless of outcome.


Yours sincerely



ROBIN CARR ASSOCIATES

Public Rights of Way Management and Consultancy Services

**City of York Council
Consultation Acknowledgement Form**

Parish: Acomb & Rufforth		Status: to be determined	Path No: n/a
Name of Route: Grange Lane		Project Ref No: RCA/CYC/001	
Application to: Investigation into status of Grange Lane			
A map of the proposal is attached			
Name & Address of Consultee:		BARTLE & SON 1 BRIDGE STREET TADCASTER NORTH YORKS. LS24 9AW TEL: 01937 835303	
Legislative Context:	Wildlife & Countryside Act 1981		
Grounds for Order (if made):	Existence of Public Highway Rights		
Additional Supporting Information: Previous investigations have suggested that Grange Lane was historically the old road to Rufforth. It possibly pre-dates the Turnpike Road that forms the modern B1224. It is certainly shown as a through route on older mapping. The section across Rufforth Airfield was stopped up, as a footpath, using wartime powers. If the lane was historically a public carriageway, unless those rights were legally stopped up, they will still exist, in some form today. The Natural Environment & Rural Communities Act 2006 may have the effect of extinguishing public rights for mechanically propelled vehicles. If this is the case any private access rights will be preserved.			
Are you/your organisation willing to support this application?: If No, please give reasons in the "Additional Information" section below.			Yes No*
If you do have objections, would it be possible to resolve them by amending the proposals? If Yes, please explain how in the "Additional Information" section below.			Yes No*
Any Additional Information or Comments: a) what status you believe Grange Lane to be (e.g. public or private)? PRIVATE b) if you believe it be public, what status of highway (e.g. footpath, bridleway or carriageway)?; and N/A. c) what evidence you have to support the views you have stated in a) & b)? AS PREVIOUSLY REPORTED Q.V. CORRESPONDENCE Dec 2002 - March 2003			
Signed: 		Date: 17. Sept '08	

Please return the completed form to:

Robin Carr Associates
2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ

ROBIN CARR ASSOCIATES

Public Rights of Way Management and Consultancy Services

**City of York Council
Consultation Acknowledgement Form**

Parish: Acomb & Rufforth	Status: to be determined	Path No: n/a
Name of Route: Grange Lane	Project Ref No: RCA/CYC/001	
Application to: Investigation into status of Grange Lane		
A map of the proposal is attached		
Name & Address of Consultee:		
Legislative Context:	Wildlife & Countryside Act 1981	
Grounds for Order (if made):	Existence of Public Highway Rights	
Additional Supporting Information: Previous investigations have suggested that Grange Lane was historically the old road to Rufforth. It possibly pre-dates the Turnpike Road that forms the modern B1224. It is certainly shown as a through route on older mapping. The section across Rufforth Airfield was stopped up, as a footpath, using wartime powers. If the lane was historically a public carriageway, unless those rights were legally stopped up, they will still exist, in some form today. The Natural Environment & Rural Communities Act 2006 may have the effect of extinguishing public rights for mechanically propelled vehicles. If this is the case any private access rights will be preserved.		
Are you/your organisation willing to support this application?: If No, please give reasons in the "Additional Information" section below.		Yes / No*
If you do have objections, would it be possible to resolve them by amending the proposals? If Yes, please explain how in the "Additional Information" section below.		Yes / No*
Any Additional Information or Comments: a) what status you believe Grange Lane to be (e.g. public or private)?; PRIVATE b) if you believe it be public, what status of highway (e.g. footpath, bridleway or carriageway)?; and c) what evidence you have to support the views you have stated in a) & b)? SAME REASONS AS GIVEN IN PREVIOUS INVESTIGATIONS, WHICH I AM SURE YOU MUST HAVE ON YOUR RECORDS. ie - 18m Feb 2003 Ref B1219B02/7 Your Ref JB/4059/PROV. AND THE REPORT BY MIKE TAYLOR CONCERNING GRANGE LANE ENCLOSURE AWARD + PLAN.		
Signed: A P Syfr		Date: 10-9-08

Please return the completed form to:

Robin Carr Associates
2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ

1 BRIDGE STREET, TADCASTER
NORTH YORKSHIRE, LS24 9AW

Telephone: (01937) 835303

Fax: (01937) 530435

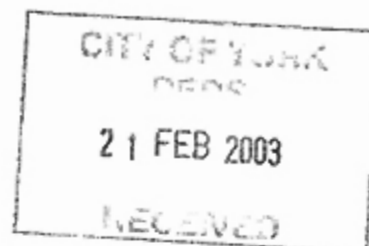
e-mail: mail@bartles.u-net.com

web: www.bartles.co.uk

Our ref: B1219B02/7

18 February 2003

Public Rights of Way Unit
Highway Regulation
City of York Council
9 St Leonards Place
York
YO1 7ET



000004

Your ref: JB/4059/PROW ® /WR Anomalies/WR-A10
Attn Jackie Brown

Dear Sirs

WITHOUT PREJUDICE

**WILDLIFE AND COUNTRYSIDE ACT 1981
GRANGE LANE, KNAPTON**

Following on from our letter of 17th December we have instigated further research into the evidence behind the proposed dedication and find that it seems the evidence relied upon by your Council is not accurate or properly based.

The point at issue seems to be that your experts interpretation of the route of the Turnpike is incorrect and this has now been positively identified to be largely along the route of the current B1224 route and further by way of additional rebuttal that the Rufforth Enclosure Award goes on specifically to describe the route of Grange Lane and awards it as a "private road".

A copy of our expert's Mr M Taylor's report is appended for your consideration.

In the circumstances it is suggested that the matter is laid to rest and we should be grateful for confirmation of this or indeed how you intend to report further to committee.

Yours faithfully

Grange Lane, Rufforth Enclosure Award and Plan.

The Rufforth enclosure award and plan is lodged at York City Record Office. The award covers the greater part of the parish and includes the village centre. It is unclear whether the road system was awarded and set out by the enclosure process, realigning the ancient roads or whether the existing road system was left undisturbed. However looking at the irregular road alignments and pattern it is likely that the road network was largely left alone and only the open field selions between the roads combined and awarded into new parcels of land.

The Wetherby to York turnpike road is shown following the same alignment which its successor, the B1224 follows today although at one point it does take a more southerly curve, which later mapping shows was cut off with a short cut. This created a loop of road that was temporarily stopped up by wartime powers and permanently stopped up by statutory instrument in 1953.

The enclosure plan shows that the turnpike was clearly not on an alignment that incorporated or led to Grange Lane. However a minor road did leave the turnpike road in a south-easterly direction at a bend where the turnpike road followed the southward curve. The road left the turnpike at a point 24.5 chains (493m) west of the Foss crossing, (New Gate Bridge).

On the plan this minor road is called Rufforth Grange Road and it runs for 18 chains (362m) in a south-easterly direction before leaving the area of the award. It is significantly narrower than other roads and is shown with a line across its northern end where it abuts onto the turnpike road. This may suggest that it is gated or that it is not regarded as being a public road. Unlike other public roads on the plan no destination is given where it leaves the plan area. In the award the road is referred to as The Rufforth Grange Road and awarded as a private or occupation carriage road. A full transcription of the award is given below.

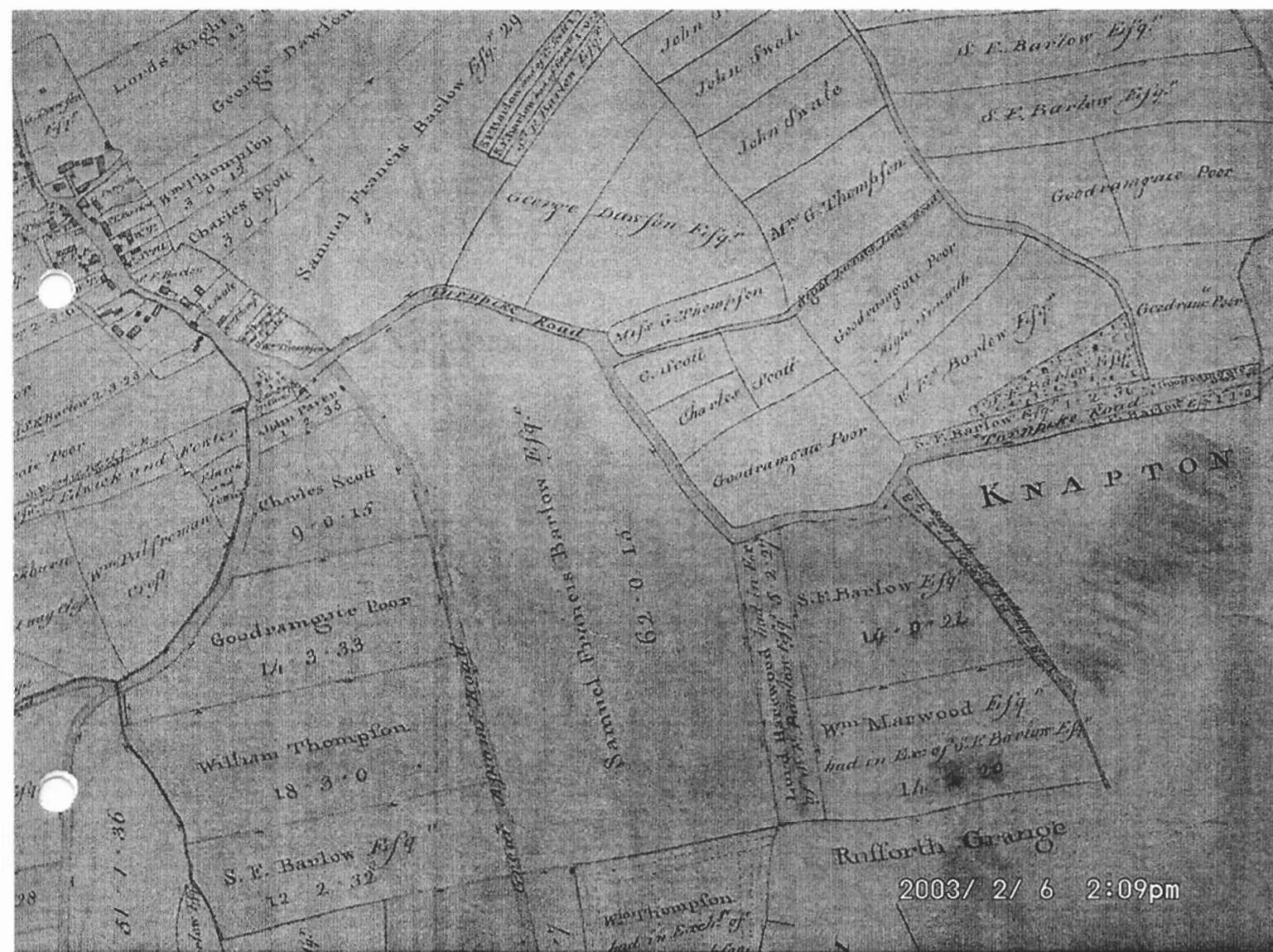
And also one other private or occupation carriage road by me called the Rufforth grange Road which if fenced off shall be of the width of twenty four feet between and exclusive of the ditches. Beginning at the turnpike road at the north east corner of an allotment made to Samuel Barlow in Spate Lane and returning from there southwards on the east side of the same allotment to and into an allotment awarded to William Marwood in the said Spate Lane and from there in its ancient course. And I do award that the same road as far as it crosses the said allotment Of the said Samuel Barlow shall until the same shall be fenced off from the residue of the said allotment be repaired by the said Samuel Barlow and afterwards in like manor as other private roads are therein awarded to be repaired.

Attached are digital images of the eastern area of the plan, and a close up showing the turnpike road and Rufforth Grange road diverging from it to the east of the allotments of Barlow and Marwood.

Mike Taylor B.A.(hons) M. Phil. M. IPROW.

Rufforth Enclosure Award Plan

This view shows the majority of the plan and it illustrates the alignment of Rufforth Grange road and the turnpike road. It is clear that the turnpike road follows an alignment that persisted to modern times and is now followed by the B 1224, save that the southern loop round the land awarded to Goodramgate Poor was cut off by a new section of road and the old loop was stopped up by statutory instrument in 1953.



Rufforth Enclosure Award Plan

Showing divergence of Rufforth Grange Road from the Turnpike Road which is on the alignment of the modern B 1224.



Our ref: B1219B02/3

17th December 2002

Public Rights of Way Unit
Highway Regulation
City of York Council
9 St Leonards Place
York
YO1 7ET

CITY OF YORK

DEDS

20 DEC 2002

RECEIVED

1 BRIDGE STREET, TADCASTER
NORTH YORKSHIRE, LS24 9AW

Telephone: (01937) 835303

Fax: (01937) 530435

e-mail: mail@bartles.u-net.com

web: www.bartles.co.uk

093853

*Holding letter done
21/12.
Copy attached.*

Your ref: JB/4059/PROW @ /WR Anomalies/WR-A10
Attn Jackie Brown

Dear Sir

WITHOUT PREJUDICE

WILDLIFE AND COUNTRYSIDE ACT 1981
GRANGE LANE, KNAPTON

Receipt of your letter of the 13th November addressed to Woodhouse Farm, is acknowledged and we have been asked to respond.

It is the position of the Landowner that we believe the rights asserted are not available to the authority and it the case that objection is raised to the proposal to include the Lane as a "BOAT" or indeed as any other form of public access.

The evidence so far adduced from the records indicates that there are a number of anomalies in the background to this. Particularly there is considerable doubt as to the extent and position of the Turnpike to which this relates and likewise it is understood evidence of parts of Grange Lane having been included as hereditaments in the Finance Act 1910.

Consequently we hold that the rights did not exist and in the alternative as to part were legally and correctly stopped up in connection with the Statutory Instrument (1953 SI No 132).

Further investigations are under way at this moment and we reserve our position on the production of further evidence.

Yours faithfully



Please discuss
response



FACTS

A.P. & J.E. SYKES

Farmers / Growers

THE GARTH - YEW TREE CLOSE - RUFFORTH - YORK - YO23 3RG

Tel / Fax 01904 738437

V.A.T. 431-0167-02



Dear Mrs Brown,

Grange Lane Status.

I am concerned that you have not been able to find me again, therefore could you up date your records, as your colleague Mr Carr could not find me last year. Also I was hoping he had moved on to pastures green, as the footpath review had gone all quiet for about a year. As he his aware that under the Highways act 1980 section 31 (6) "Notice of Intention not to dedicate public rights way" was received on the 14th of December 1993 when it became effective.

A copy of NYCC's letter is available for you to read with a copy of my last letter to you in December last year. I object on the same grounds as that previous letter on the 03/12/01.

Please contact me immediately if you have any further questions or quires in regarding this time-consuming matter.

Yours sincerely,

A. P. Sykes

A.P. & J.E. Sykes

2C/3955

BARTLE & SON

Established 1840

Chartered Surveyors, Auctioneers, Valuers and Land Agents

Members of The Central Association of Agricultural Valuers

1 BRIDGE STREET, TADCASTER
NORTH YORKSHIRE, LS24 9AW

Our ref: B1031B01/1

Your ref: RC/PROW (R)/WR Anomalies/WR-A10

Telephone: (01937) 835303

Fax: (01937) 530435

e-mail: mail@bartles.u-net.com

31st October 2001

Attention Robin Carr Esq
Public Rights of Way Unit
Highway Regulation
City of York Council
9 St Lennards Place
York
YO1 7ET



Dear Sir

WITHOUT PREJUDICE

WILDLIFE AND COUNTRYSIDE ACT 1981
GRANGE LANE, KNAPTON

Your letter of the 25th October addressed to the owner/occupier at Woodhouse Farm, Grange Lane has been passed to us with instructions to consider the matter further.

Before commenting fully on the position of the owner/occupier in this case we seek copy of the report from your Authority's Consultants or if not at least the opportunity to view the same.

We note the position with regard to the proposal to consider a modification order and we would be strongly considering objecting to the same in a robust manner.

We also note your concern that objections should not relate the practical matters of usage but for the record would confirm that there are serious problems in this direction.

We look forward to hearing from you and receiving copy of the report and proposed timetabling for the proposed Order.

Yours faithfully

**Tab 16 – Extract from *Highway Law*
Sauvain (3rd Ed).**

be considered in the light of evidence showing both that new roads were in fact laid out in accordance with the award and that the roads were subsequently accepted by the public.⁵² Equally, the omission of a path from the Inclosure Map does not necessarily mean that such a path did not exist and carry public rights.⁵³

- 2-83 The descriptions given in the Inclosure Acts and awards to roads and ways of that era are, however, not always easy to reconcile with the clear modern distinction between public and private roads.⁵⁴ This does not mean, however, that they can be interpreted independently from the general law of highways as it was understood at the time of the award or the empowering act. The problem of interpreting awards is highlighted by the long running debate over the meaning of the words "private carriage roads" in many awards.⁵⁵ In *Dunlop v Secretary of State for the Environment*⁵⁶ an argument that the words "private carriage road" in an award made under the Inclosure Act 1801 referred to a public road open to private carriages was rejected by the court. Sedley, J. concluded that by the beginning of the nineteenth century references in the legislation and awards to public and private carriage roads was intended to distinguish between roads open to all the monarch's subjects on the one hand and roads open to a limited, if unspecified, class on the other.

- 2-84 Often maintenance liability as set out in the award may be helpful in determining whether a road as intended to be a highway. However, care must be exercised in interpreting maintenance liabilities. The fact that a way was to be repaired in the same way as other highways "are by law"⁵⁷ to be maintained is likely to be indicative that the way itself was intended to be a public highway. However, the simple statement that a way was to be maintained by the village, hamlet or parish without that qualification might be consistent with the status of roads which were not public in nature. There is support in a number of cases, for example, that some roads benefiting and repairable in fact by, the village, hamlet or parish were not regarded as having the status of public highways.⁵⁸ The *Dunlop* decision also appears to be consistent with this distinction. It is also far from clear from many awards whether existing roads or roads to be set out might have a dual status providing for a public right of way on foot but a private right of way for carriages or carts. The width of roads set out under Inclosure Awards may also be evidence

of their intended use, actually set out for public.⁵⁹

Ordinance surveys

It is well established that the only way to show the usefulness of a road in maps became available under the Act 1841, under which it was soon after the passing of the ancient highways available at suit after the passing

Tithe maps

Tithe maps have a road, but are not recorded, nor are any road.⁶³ Roads prepared under power to take a road from, the might pass. They would have existed his acceptance therefore, may

⁵² See *R. v Wright*, (above); *Cubitt v Maxse* (1873) L.R. 8 C.P. 704; *R. v Secretary of State for the Environment, Ex p. Andrews* (above).

⁵³ See *Harber v Rand* (1821) 9 Price 57.

⁵⁴ See "Inclosure Awards" by Tim Hart, R.W.L.R. February 1994, s.9., pp.57-66.

⁵⁵ See Christine Willmore "Inclosure Awards: Public Rights of Way" R.W.L.R. July 1990, section 9.3, p.1; Christine Willmore "What is a private carriage road" R.W.L.R. 1995, s.9.3., p.73; Tim Hart "Inclosure Awards" above.

⁵⁶ (1995) 70 P. & C.R. 307.

⁵⁷ The only legal requirement to maintain roads was that which fell on the parish to maintain public highways; see Ch.4, below. See also Inclosure Act 1845, s.67.

⁵⁸ See *Anon.* (undated), 3 Salk. 182; *Austin's case* (1672) 1 Vent.189; *Farquhar v Newbury RDC* [1909] 1 Ch. 12; *Brocklebank v Thompson* [1903] 2 Ch. 344; but see Highway Act 1835, s.5.

⁵⁹ *R. v Secretary of State for the Environment* (1873) L.R. 8 C.

⁶⁰ See *Att-Gen v A. Meyrick and Jon* 123.

⁶¹ See J.C. Harley reprinted from "by the National Manual" (1975).

⁶² *Att-Gen v Antro Eastbourne RDC* *Manor Ltd v Co.* Ch. 1; *Kent CC*

⁶³ *Copestake v We.*

⁶⁴ For a consideration of *Andrews*, "Tithe" p.25; Kain "Inte"