

1 Summary

To most people, even local historians, the development of local government appears complex and boring. Yet it has a profound effect on the way villagers lived within their community. This summary is written from the viewpoint of a rural community; the history of local government in towns and cities is different.

There are four distinct phases: Danelaw with its wapentakes and tithings, the feudal manorial system of the Normans, the vestry meeting initially based on the parish church, and finally the modern system of civil parishes and districts. Before the nineteenth-century there was very little semblance of the sort of local government we are familiar with today. What local government there was evolved from piecemeal reactions to national crises and made up of people appointed rather than elected. However, it did meet the needs of the times, with most aspects of administration carried out at the parish level through local land-owners. It took most of the nineteenth-century to establish an effective system of local government, based on counties and districts. Although there has been an increasing involvement of central authority since feudal times, accompanied by erosion of local power, this process greatly accelerated during the twentieth century. By then the parishes had surrendered most of the control of their local communities to higher authorities.

2 Early local civil administration

2a) Before the Norman invasion

When England first emerged as a national entity, about a hundred years before William landed at Hastings, the country was organised into shires. These shires were sub-divided, at least in the Northern Danelaw region, into wapentakes, each with their own court. Wapentakes were further split into groups of ten mutually-responsible households or tithings. In the south, the term 'hundred' was used instead of 'wapentake', hence the phrase 'the Chiltern hundreds'.

Great Ayton was in the wapentake of Langbaurch West, within Yorkshire. The use of the term "wapentake" persisted until the nineteenth century, with the traditional Cleveland being defined as the wapentakes of Langbaurch West and Langbaurch East.

2b) The Norman manor

William parcelled out the countryside to his fellow Normans, who had assisted him in the conquest of England, in the form of manors. By the eleventh-century the manor formed the legal basis of the local community. It was under the control of the lord of the manor, who handled what local administration there was through his manorial court. Domesday Book (1087) which was compiled under William I for tax purposes, describes manors, their owners and their value, throughout the country. There are altogether nine manors mentioned in Domesday within the boundaries of the ecclesiastical parish of Ayton. These include: Nunthorpe, Newton-under-Roseberry, 'Ergun' (i.e. Aireyholme), Tunstall and Little Ayton, as well as no less than four manors within the territory of Great Ayton itself.

There is little evidence available for the following centuries, but it seems that by the early seventeenth century a lengthy process of amalgamation had taken place, so that the four Great Ayton manors had finally become subsumed into one. We do have some of the Ayton manorial court records from the 1650s and 1660s when John Coulson was lord of the manor. It is clear from these that the enclosure of the village's open fields and commons, which took place in 1658, greatly reduced the scope and importance of this court and of the manorial system as a whole.

As the manorial system in most areas started to decline towards the early modern period, it was replaced by two very different institutions. Local magistrates meeting in Quarter Sessions supervised the work of the parish officials, while the church increasingly replaced the lord as the focal point for the local community. With the establishment of the Church of England, independent of Rome and headed by the king, the church assumed a part-religious, part-governmental position at the head of the community. Allegiance to the lord of the manor was replaced by allegiance to the church and, by implication, allegiance to the monarch who was the head of the church.

3 Church organisation

3a) Parishes

For centuries the established church was the only administrative body at a local level. However, under the Tudors certain civic duties such as maintaining the highways and relieving the poor, were imposed on the parish. Hence, what we now recognise as the quite separate functions of ecclesiastical and civil administration, were both managed through the church. So it is quite appropriate to look at the church organisation before turning to local government. At a local level, this is based on the concept of the parish, although the definition of the parish has changed over the centuries, and today we have the separate ecclesiastical (with parochial councils) and civil parishes (with parish councils)

The first documented minster churches were endowed by Oswy, King of Bernicia (Northumbria) in 654. For centuries these minster churches were the only permanent sites for Christian worship, and by the eighth century the country had been divided into parishes, each with a minster church at its centre. In the north of England especially, many of these early parishes were very large and could include several villages and outlying hamlets.. Gradually, local churches were established to serve local communities, and so the concept of a local parish emerged. These village churches had their own priests, rather than employing priests who had travelled out from the minster church. In Great Ayton the Saxon All Saints' Church served the village. There has been speculation that it may once have been a minster church, judging from the fine fragments of stonework preserved in the old church.

Large parishes in the north of England were often divided into townships, and particular townships were often granted their own chapels of ease, small local chapels where services were held. These services were taken by a curate (having the cure of souls), but the term now generally means an assistant to a rector or vicar. Within the ecclesiastical parish of Great Ayton, chapels of ease were set up at Newton and Nunthorpe, and also, briefly, in Little Ayton.

3b) Tithes

The parish churches and priests were maintained by the system of collecting tithes, literally one tenth of the produce of the parish. Great tithes were from the main crops, such as corn, hay and timber, while small tithes were from fruit and vegetables, animals and animal produce, and the like. The physical collection of tithes continued until the Tithe Commutation Act of 1836 converted tithes into a cash equivalent. Such a reliable source of income was very attractive, and soon collegiate bodies (such as abbeys and university colleges) and powerful individuals (such as bishops, abbots and barons) could acquire the right to collect the great tithes from a parish. Where the great tithes remained with the parish church, as in the neighbouring parish of Stokesley, its priest was a rector, but where the great tithes had been appropriated by a collegiate body or individual (known as a lay rector), the parish priest was a vicar, and he was left with only the small tithes, and was consequently all the poorer for it. In some cases, such as Great Ayton, the priest was not entitled to any tithes, great or small. Ayton had been granted to Whitby Abbey in the twelfth century, and Whitby Abbey took all its tithes. It made the church at Ayton a perpetual curacy, whereby the unfortunate priest, known not as rector or vicar but as curate, received a very small income, mainly derived from marriage, christening and burial fees.

With the dissolution of the monasteries (1536-40), the right to collect tithes became an early example of the state selling off assets to generate cash. The Marwood family of Busby Hall acquired the right to the Ayton tithes around 1587, and continued the practice of starving the church at Ayton of funds. Even the use of the Rectory House was denied to the Ayton curate since, cynically, it was rented out to the agent who collected the Marwood tithes. It would not be until the nineteenth century that the Marwood family tried to make amends for centuries of exploitation when George Marwood gave the village its present vicarage, a new vestry for All Saints' Church and the Marwood School. Needless to say, George was not a true Marwood but had changed his name when he stood to inherit the Marwood estates.

3c) Churchwardens

The rector or vicar had two bodies to assist with the running of the parish: on the ecclesiastical side were the churchwardens, on the civil side was the vestry. Above the rector or vicar extended a hierarchy of church officials - deans, archdeacons and bishops - but they are not relevant to this account.

Most parishes had two churchwardens, but there could be as many as six in a large parish. The churchwardens were responsible for looking after the fabric of the church and keeping the accounts of income and expenditure, which were presented to a visitation of the archdeacon once a year. There are records of visitations to Ayton in the Borthwick Institute records at the University of York. At the visitation any misdemeanours of parishioners would be reported, possibly leading to action in the ecclesiastical court. One of the duties of the ecclesiastical courts was the proving of wills (probate), a responsibility which they held until 1858. Since churchwardens might be illiterate, a curate or clerk might be paid to write up the accounts. An unusual aspect of the churchwardens' duties was the control of vermin, and they made payments to parishioners handing in dead animals such as foxes and polecats. The rector or vicar would appoint the sexton to look after the churchyard and dig graves, and sometimes a parish clerk. The churchwardens witnessed the entries in the parish register of baptisms, marriages and burials, which were supposed to be made by the rector or vicar in charge of the parish, a responsibility made a legal obligation by the Parochial Registers Act of 1812. There was a legal obligation from 1753 for the parish priest to make an entry in the register. Great Ayton parish registers of baptisms, marriages and burials exist from 1600, and we have churchwardens' accounts from 1734.

3d) The Vestry

The vestry began as a civil administration body run by the established church. The churchwardens handled ecclesiastical affairs, while a parish meeting known as the vestry looked after the wider community. Rather confusingly, since it was not concerned with church matters, it was called the vestry since it usually met in the church vestry (the room where the priest's robes and other church vestments were kept).

Originally, the vestry could consist of everyone meeting the property-owning qualification, but soon it reduced to a representative group of householders, known as a select vestry and meeting on a regular basis. Elections for membership of the select vestry would be held annually, usually at Easter. It should be emphasised that, in spite of being headed by the priest and meeting in the church, the vestry was concerned with non-church matters. From the early eighteenth century, the Ayton vestry met in the Postgate Schoolroom, emphasising its more secular role.

Before the emergence of any real local democracy, only those owning land had any power. In some parishes most land, and hence power, was in the hands of a single individual, leading to the idea of a close vestry. In this case he members of the vestry would have to be approved, it not appointed by, that individual. In other parishes land and power might be spread between several people, leading to an open vestry. The quality of governance exercised by the local vestries varied considerably. Since the Vestries were the only local bodies that could raise taxes, they were prey to abuse and corruption by self-serving individuals, particularly in the towns. There is no evidence of any abuses of the vestry system in Ayton, indeed all parish officials seem to have done their best to discharge their duties for the good of the parish.

In an Act of Parliament of 1819, the select vestry system was formalised as the means of administering the Poor Law and appointing parish officials (overseers of the poor, constable and surveyor of highways). Only those holding property could vote and, depending on the size of your estate, you could have up to six votes. Few people wanted to be parish officials and appointments might be rotated compulsorily through the eligible local residents. The appointment of the parish officials had to be confirmed by the Justices of the Peace, but they would rarely have any grounds to go against the Vestry recommendations.

3e) Quakers

Before leaving consideration of the vestry, the position people who did not subscribe to the Church of England should be touched upon. Although Ayton, unlike Stokesley, had few Catholics, it did have a growing number of Quakers from the end of the seventeenth century. They saw themselves as outside many of the established institutions of local and national government, and indeed were barred from standing for Parliament until the 1832 Reform Act.

The Quakers were often in disputes over the collection of tithes. Because they would not be associated with the system, they sometimes left it up to the collection agent to take away an appropriate amount of goods or produce, but this practice could lead to accusations of excessive quantities being taken. How the Quakers responded in Ayton, where the tithes were not going to the Church of England, is not known. It is known that Ayton Quakers

would rebel against taxation they did not believe justified, for example William Richardson's refusal to pay the national tax on tanned leather at the start of the eighteenth century.

4 Influence of the state on local administration

For centuries the monarch took little interest in local affairs, and the lowest level of representation of the king was at county level, through the Lord Lieutenant, appointed directly by the king. Over the years the position acquired many and varied responsibilities. The office of Lord Lieutenant still exists, although their duties have been whittled away until they are now only responsible for organising royal visits to their county.

In the thirteenth-century the first step was taken in developing a system of local government that deriving some of its authority from the king. Justices of the Peace were appointed for each parish by the Lord Lieutenant. Their function was to maintain law and order throughout the countryside in the King's name. In practice, with no supporting resources and little or no local knowledge, the Justice of the Peace had to gain the co-operation of the parish if they were to be effective. The Justices held Petty Sessions (two magistrates hearing local minor cases) and Quarter Sessions (more serious cases held at county level).

The records of the North Riding Quarter Sessions for the seventeenth and eighteenth centuries have survived, but cover the whole county and are not indexed by village. The NYCRO has recently been awarded funding to index the records, but the task will not be completed for several years.

In the absence of any formalised local government, the Parish Vestries and the Justices of the Peace were inevitably at the receiving end of legislation enacted by the monarch and the Privy Council. The most important consequences were that the parish had to find people to fill the unpaid, but compulsory, positions of Overseer of the Poor, Parish Constable and Surveyor of Highways.

5 Officials appointed by the Vestry

5a) Overseers of the Poor

Overseers of the Poor were formally appointed under the Relief of the Poor Act of 1597. Rural parishes usually had two overseers. Nobody would want to be an overseer due to the difficulties involved. Individuals within the parish were charged Poor Law rates on the basis of their ownership of land and property. The overseers assessed the property valuations, set the poor rate and collected the rates. They also put the able-bodied to work, provided outdoor relief to the old and infirm, and chased away itinerant paupers so that they would not become a burden on the parish (under the Settlement Act of 1662 people only had a right to poor relief in the parish of their birth). Until 1918 they compiled the list of names for jury service. In administering the poor rates, they kept rate and account books. The Poor Law rate books go back to the Poor Law Acts of 1597 and 1601, but are often much later. In Ayton we had two overseers appointed annually, and their Overseers of the Poor Accounts exist from 1791. The parish poor house was situated in the building now housing the Captain Cook Schoolroom Museum.

Parish administration of the Poor Law ceased with the 1834 Poor Law Act, unions of several parishes and the appearance of the Union Workhouse.

5b) Constable

Originally, constables were officers of the Manorial Court, but later they became parish officials, a situation formalised in the 1842 Parish Constables Act. As parish officials, they were appointed by the parish vestry. One of their earliest duties was the rounding up of stray animals and placing them in the village pound. The pound in Ayton was situated

Constables maintained a list of all the able-bodied men from whose ranks the militia might be mustered. They apprehended law-breakers, and kept the parish stocks, pillory and lock-up. In Ayton these were situated on the north east end of Bridge Street, by the present stone bridge. More serious cases were presented to the Justices of the Peace, sitting at the Court of Sessions. They collected a miscellany of additional duties: recording recusants, non-attendance at church, controlling licensed beggars, keeping an eye on ale-houses and arresting drunkards, getting fathers of illegitimate children to marry the mother or pay for the child's maintenance. Constables would assist the

overseers of the poor in expelling vagrants from the parish. They collected County Rates. Their activities were recorded in their Account Books.

5c) Surveyor of Highways

Under The Highways Act of 1555, parishioners were responsible for the upkeep of highways within the parish. They appointed a Surveyor of Highways; since this was likely to be the least literate of the parish officials, highways records tend to be poor. The parishioners did the necessary work, either by their own hands or by paying for labourers. After the Highways Act of 1835 the role of the parish was replaced by new highways districts with Highways Boards.

6 The beginnings of local government as we know it

By the eighteenth-century the ad hoc system of local government was increasingly unable to cope in the urban areas. It fared better in the more stable countryside, where both the Justices and the members of the parish vestry were part of their rural communities and were motivated by ideas of community service rather than by personal gain.

The nineteenth-century saw the introduction of formalised local government. This change was driven by the challenges and opportunities of new technologies and industries, increasing urbanisation and the ever-increasing load of legislation. Government, opposed to involvement in local matters because of their prevailing philosophy of laissez faire, was slow to act. The first step, in 1819, was an Act to legalise a representative Parish Committee (the vestry) and a paid Overseer of the Poor. There was also provision for limited election to parish vestries based on a property qualification.

In response to this Act the Great Ayton select vestry was established. Minutes of its fortnightly meetings remain for the period from 1821 to 1835.

The 1834 Poor Law Act set up the Poor Law Unions, where groups of parishes could combine to administer the Poor Law through committees of Poor Law guardians. The guardians were elected, although only people holding a certain amount of property could vote. Union workhouses replaced the separate poor houses in individual communities, and the guardians levied Poor Law rates on the parishes within their Union.

At this time Ayton joined the Stokesley Union, Stokesley's Springfield Workhouse replaced the Ayton poor house and the Stokesley Poor Law Guardians replaced the parish overseers. Ayton elected one of the 35 guardians.

Reforming zeal wilted after the Reform Act of 1832, which gave the middle classes the vote, and the Poor Law Act of 1834. But renewed pressure for improvements in local administration soon came from the fear of disease due to inadequate sanitation and impure drinking water supplies. The 1848 Public Health Act established a General Board of Health and the mechanism for setting up local boards, but was largely discredited. The Local Government Board was set up in 1871 to address public health on a local basis, and led to the Rural Sanitary Authorities which could appoint Parish Sanitary Boards. The Rural Sanitary Authorities were, in effect, the same people as the Guardians of the Poor, voted in by a restricted electorate within the parish. The Local Government Board and its local Sanitary Authorities can claim to be the first effective system of local government, although its functions were restricted to public health. In 1875 the Rural Sanitary Authorities gained the power to ensure new properties had satisfactory water supplies and drainage; this was the birth of planning controls.

The Stokesley Rural Sanitary Authority was set up in 1873 under the auspices of the Poor Law Guardians. In 1876 they appointed the Great Ayton Parochial Sanitary Committee. We have the minutes of meetings of both bodies. Both bodies were extremely active. The Stokesley RDC passed at least 100 byelaws covering all manner of activities such as the keeping of pigs. The Ayton PSC gave the village one of the first rural sewage treatment schemes in the county.

In response to political crises yet more Acts were passed to establish additional local bodies. In 1862 the Highway Act set up some Highway Boards for a number of combined parishes. The 1870 Elementary Education Act set up local School Boards, elected by the parish Vestries, to fill gaps in local school provision.

There was no School Board in Ayton, which was already well-served by the Marwood and British Schools.

7 Modern local government

By now the need for comprehensive reform was overwhelming. The 1894 Local Government Act provided that the Rural Sanitary Authorities should become Rural District Councils, democratically elected on a one-man, one-vote principle. Every Rural District Councillor was to represent his parish on the Board of Guardians. This Act also introduced civil Parish Councils in rural parishes, as separate bodies to the churches' parochial councils although generally covering a similar area.

The Great Ayton Parish Council was inaugurated in 1894, and its minutes from then on are available. Because its population was so small, Little Ayton did not qualify for a Parish Council but could have a Parish Meeting.

County Councils were introduced by an Act in 1888, and Rural District Councils by an Act of 1894. The new councils took over the functions of the separate local committees. School Boards were abolished in 1902, Poor Law Guardians in 1929. In contrast to the changes within the parish, the Justices of the Peace remained relatively unchanged, although they were given many extra responsibilities. It was only after the establishment of the County Councils that their roles reduced to the solely judicial capacity of the magistrates we know today.

Local government, through the Parish Council, Stokesley Rural District Council and the North Riding County Council continued until the second half of the twentieth-century. The 1947 Town and Country Planning Act gave local authorities new powers. In 1974 small Rural District Councils were gathered up to form District Councils, and County boundaries were redrawn.

In 1972 Great Ayton successfully fought a campaign to remain in Yorkshire, rather than be assimilated into Teesside. Stokesley Rural District Council was abolished in 1974, when Great Ayton became part of the new Hambleton District Council. At the same time Hambleton came within of the new North Yorkshire County Council, as the former three Ridings of Yorkshire disappeared. The Parish Council continues to exist, but has a very small budget and very few powers.

8 References

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