

THE BISHOP'S PARK AT WESTBURY-SUB-MENDIP

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One of the more common features to be found in rural England during the period 1200 - 1550 was the private hunting park. In Somerset alone about 130 parks were created in this period; the majority belonged to the secular nobility while the rest were either royal, episcopal or monastic parks. In the local area, because of the predominance of ecclesiastical landholders, most of the parks were either owned by the Bishop of Bath and Wells or the Abbot of Glastonbury. The biggest episcopal parks were at Wells, Westbury-sub-Mendip, Evercreech, Cheddar and Banwell, with smaller parks at Wedmore and Mudgley. The monastic parks belonging to the Abbot of Glastonbury were situated at Wirrall, Sharpham, Northwood and Pilton.¹

Parks were fenced areas containing a mixture of woodland and grassland; the woodland provided cover for the deer and simulated a forest for the hunter while the grassland provided the main sustenance for the deer. Park owners were thus provided with sport and a supply of fresh venison which could be sent to any of the owners' residences and which was also suitable as a high status gift. Parks also had other important economic functions such as supplying timber for building, wood for heating, stone and even fish and wild fowl. The main period of park creation nationally was between 1250 and 1350 but the two large parks at Wells and Westbury-sub-Mendip were both created before this time. Westbury park was the older of the two being in existence by 1178,² while the park at Wells was not begun until 1207. Whereas the origins of the park at Wells are clearly documented, those of Westbury park are not. The emparkment at Wells was the direct result of the appointment of Jocelin Trotman of Laucherley as bishop in 1205. Bishop Jocelin signalled his intention to make Wells the centre of the diocese again by gaining a Crown licence to create a hunting park adjacent to the "palatium" built by Bishop John of Tours c1100.³ It was near this palace or to the south of it that he would construct his new palace in the 1230s.

Westbury Park is first mentioned in a papal bull of 1178 so it was certainly created some time before that date. The manor of Westbury was part of the estate of the Bishop of Wells in 1086 and it was probably part of the bishop's estate when the Wells diocese was formed in 909. The date and the reasons for the creation of the park at Westbury are not entirely clear from the available documentary evidence. It could have been a suitable site because of its nearness to the "palatium" at Wells, only just over four miles; for although Bishop John of Tours had moved the seat of the bishopric from Wells to Bath in 1091, he had retained an interest in Wells by building a palace there. His brother Hildebert, who was also the steward of his household had been given the lands of the dispossessed canons of Wells and in 1122 his son the Archdeacon John asserted a claim to these lands which was not given up by the family until 1165. Thus there is reason for thinking that there was an aristocratic ecclesiastical establishment at Wells during the first half of the 12th century which could have created a hunting park and used its game, timber and fuel to help sustain a household. The suggestion of a date before 1135 for the creation of the park is supported by the licence issued to Bishop Robert by Henry II at some date between 1154 and 1166 which authorises him to enclose all his parks as they were enclosed in the time of King Henry I, 1100-1135.⁴

There was of course before 1224 another episcopal residence nearer to Westbury than Wells, that of Wookey. Bishop Reginald in the later 12th century had shown an interest in Wookey and in 1224 Bishop Jocelin was licensed by Henry III to repair his houses at Wookey but there is no documentary evidence to show when the earlier episcopal accommodation there had been built and none to connect it with the creation of Westbury park. Bishop Jocelin built a “chapel, great hall, associated domestic buildings and cloister connecting hall and chapel” and it is not inconceivable that when the bishop was in residence there which he often was, that he or his guests hunted at Westbury but again hard documentary evidence for the connection is lacking.⁵ No large episcopal residence was constructed at Westbury and there is little evidence from the bishops’ registers to show that bishops did stay there. However it is clear that in the 14th century there was a small hall there, probably on the site of the modern Court Farm, which could probably have accommodated the bishop and a small hunting party for a short time.

Generally parks were located in the vales between the higher land and the lower lying land near the estuaries, rivers and marshes where there was a plentiful supply of pasture and woodland necessary for the running of the deer. They were usually created on the margins of the estate on the land least suitable for agriculture. Although it was situated on the edge of the moor at Westbury, the park “occupied much of the better quality land on the manor, forcing the inhabitants of the village to create terraced cultivation strips on the south face of Mendip.”⁶ It seems likely that the park at Westbury was formed from land already laid out as open fields because it lies comfortably within the parish boundary and stretches south to the 8 metre contour line where it borders Westbury Moor. Also the open field land runs right up to the northern boundary of the park. There is no documentary evidence for the laying out of the open fields in Westbury but it is likely to have happened by the late 10th or early 11th century. In the medieval period the village had two clearly defined open fields: the east and west fields. It seems likely that the south-western sections of both fields were incorporated in the park in the earlier 12th century thus forcing the growing village population to cultivate the southern scarp of the Mendip Hills which became known as the north field by the 14th century and where there is still evidence of widespread terracing and ridge and furrow ploughing on this scarp slope at the present time.

It is also possible that associated with the emparkment, the bishop undertook extensive drainage work on the section of Westbury Moor now known as Gooseland, possibly to provide himself with more hay and perhaps for the breeding of geese. The present course of the stream which runs beside Moor Lane and which bisects the park was also probably effected at this time as was the line of the present Rodmead Lane where the course of another stream was diverted to join the Moor Lane stream to allow access for the villagers to the “low-lying and flat areas of Outer Rodmead and Common Rodmead,” on the south eastern park boundary.⁷ The re-channelling of the stream could also have been associated with the need to provide the deer with fresh water. The drained area of Gooseland would also have provided a reserve of hay which could have been used to feed the deer. If these suggestions are correct then the park created in the early 12th century could have been divided into two sections: the area to the west of Moor Lane where the lodge was placed was the area most likely to have been reserved for deer, while the eastern end bisected by Rodmead Lane which had been deprived of its stream, was the area reserved for the production of timber. An alternative reconstruction of what might have happened would be that the park was created in two stages with the more compact western end first in the early 12th century and the eastern end possibly created later in the 12th or early 13th centuries and associated with the draining

of Gooseland which adjoins it on the southern side. Possible documentary evidence for this comes from 1218/9 when Bishop Jocelin attached to a grant of half a virgate in Prestleigh the service of enclosing the park at Westbury.⁸

As can be seen from the map, the shape of Westbury Park was roughly elliptical with the southern boundary being defined by Westbury Moor. The western boundary is more problematic. It lies well within the modern parish boundary along the present day Yeatmead Lane. As the lane now leads directly into the fields, it may be that it became the way to the common meadow after the emparkment and that its name signifies that there may have been a western park gate situated here. Unfortunately the topography of this area has been disturbed by the 19th century railway which cut across this end of the park. The northern boundary of the park is fairly straight except in the centre section where there is a large indentation to avoid the manor house with its barton and the church and parsonage. It was here just to the south of the present railway bridge at the bottom of the modern Station Rd that the main entrance to the park was located. The present field boundaries many of which are probably aligned on the medieval furlongs, run right up to the northern park boundary which suggests that the boundary itself may have been constructed on a headland at the end of a furlong.

It was very much in the interests of the park proprietor to construct an efficient and economical boundary or pale to his park. To keep the deer in, park boundaries had to be three metres high and six metres wide. The type of boundary chosen depended on the contours of the land and the nature of the terrain but also important were the nature of the raw materials available for the boundary and the availability of labour to construct and maintain it. The most common boundary was the bank surmounted by palings or sticks secured by a rail, inside of which was a ditch. This double barrier would make it virtually impossible for the deer to leap over. By far the most prestigious and the most expensive to maintain was the stone wall. Only the larger park owners could afford to construct a wall and they needed to have in place a well organised system of cheap maintenance with an unrestricted supply of stone available locally on their own land or else the cost would have been prohibitive.

Documentary evidence for the nature of the Westbury Park boundary comes from three main sources: firstly from the details of service owed to the Bishop by those holding land from him to be found in the Bishops' registers; secondly from the evidence of existing Westbury court rolls and finally from an early 16th century roll, unfortunately undated, which contains a list of all those organisations, lands and individuals who were responsible for the maintenance of a section of the boundary as part of the service which they owed to the Bishop in respect of their lands.⁹

From the rather meagre documentation, it seems that the early park boundary was an internal ditch with a surrounding bank and fence. The earliest reference to fencing occurs in 1246 when William de Wrangheye was relieved of all service to the Bishop on payment of 20s except for his obligation to fence the Bishop's park at Westbury as he had always done.¹⁰ There is no documentary evidence for a wall around the park until 1448/9 when the commar of Wells cathedral paid for three wagon loads of stone for two ropes of wall (40 feet) A clearer picture of the state of the boundary emerges in the early 16th century roll which gives precise details of the amount and type of walling which surrounded the park. Unfortunately the dating of the contents of the document is problematical and the roll may be a 16th century copy of an earlier document from internal evidence not before the mid 14th century. So although the details of the nature of the boundary as revealed by the roll are clear, it is difficult to be precise about the actual date when this state of affairs was the case. Evidence from a mid 15th century Westbury court roll substantiates the 16th century roll in

showing the boundary to be a mixture of fence and wall and it is fairly safe to assume that the description of the boundary and tenants' obligations which follow, fairly accurately mirror the state of the park boundary c1400. At that time the boundary was 4 miles and 405 yards long with 3180 yards of wall, 4187 yards of fence and 77 yards of hedge. Sections of this boundary can still be seen in Erlong Lane, at the end of Croft lane, Yeatmead Lane and to the west of the northern end of the Long Drove.¹¹ This figure accurately compares with one arrived at measuring the present recognisable boundary.

Responsibility for the maintenance of over four miles of park boundary was a problem. The main solution adopted, was to place this responsibility on the bishop's tenants through legally binding agreements. Because of the sheer length of the boundary, the local community was unable to sustain the maintenance. In Westbury, only the free tenants had any responsibility for maintaining a section of the wall, 440 feet in all, the rest of the responsibility was spread throughout the bishop's estates in Somerset.¹² The duty to maintain the boundary was added by the bishop to small grants of land, as well as to more substantial properties throughout the county. In 1263 Stephen Russel and his wife Joan were granted a fardel of land in Bocland which had been held by Stephen's father William on condition that they fenced the bishop's park at Westbury as William had done.¹³ New grants of lands to the bishop's servants also often carried the stipulation that part of the service for the land was the fencing of the bishop's park at Westbury.

The system thus evolved by the bishop for maintaining the Westbury Park boundary was unwieldy. The allocation of responsibility over such a wide area seems to have been unique because of the lack of similar evidence from the other episcopal parks. The person responsible for overseeing that the park boundary was maintained was the bailiff of the Liberty at Wells and his authority came from his use of the seal of the exchequer at Wells. He acted through his sub bailiff and the bailiffs of the county hundreds to force those tenants who had not kept up their part of the boundary to effect the necessary repairs. Tenants who were responsible for sections of fence were expected to refurbish them every three years while those with responsibilities for sections of wall were expected to renovate the stonework every ninth year. It was also expected that those institutions or individuals responsible for the fencing would also be responsible for the maintenance of the ditches on their section of the boundary. This added duty was not imposed on those responsible for walling; this could reflect the more expensive nature of maintaining the walling. On the other hand the references to ditching may be anachronistic, a relic of the earlier responsibility to create the boundary because existing court rolls only refer to deficiencies in the walling and fencing and do not mention ditching. The actual reporting of deficiencies in the boundary was the job of the Westbury reeve or the parker who informed the Westbury manor court of current problems. In 1463, the inhabitants of Chew were presented in court for having allowed their parts of the stone wall enclosing the park at Westbury to fall down. They were responsible for a significant section of walling - 360 yards of wall stretching either east or west from the ford on Moor Lane. There was also trouble in that year over defective palings: the tenants of Banwell and Lydyard Episcopi had allowed their parts of the paling to become decayed and broken.¹⁴

Although there is little surviving documentary evidence for hunting in Westbury Park, hunting was undoubtedly carried on regularly and systematically by episcopal servants providing venison for the bishop's household. In the management of the park, the parker was in a pivotal position. The first evidence for the existence of a parker at Westbury is in 1266. It then appears that the parker was not just a salaried servant but was also a free tenant holding

land. In 1266, Randolph the parker was granted one virgate of land in Westbury with a messuage with three acres of overland meadow and two acres of arable land. His yearly rent was 15s but because he was a free tenant he had to maintain a section of the boundary himself. He was succeeded by his son Richard who appears as one of the more substantial freeholders in the 1327 Lay Subsidy returns. By the 15th century, the emoluments of office had become more clearly defined and the parker was usually appointed for life. Men such as John Paternoster, Richard Sprot and William Mytton received wages of 58s 8d per annum of which 6s 8d was for shoe leather. They were also allowed to claim for themselves all trees blown down by the wind and "all other profits and emoluments anciently belonging to that office." The parker also enjoyed the rights of letting out the grazing for cattle and pannage for pigs inside the park for which he paid a set rent. Pannage of pigs took place in the six most weeks between Michaelmas on the 29th September and St Martin's day on November 11th. Walter Haselshaw, the Dean of Wells had been given the right in 1298 to pasture 60 swine and one boar in the park for those weeks in 1298 to graze on the acorns and the beech mast. Pannage provided a valuable means of fattening pigs ready for slaughter; the process of grazing was assisted by the swineherd accompanying the pigs who beat the acorns and nuts down with a long pole.¹⁵

There is some very limited evidence from the surviving fragments of the 14th century household roll of Bishop Ralph which shows that venison from the hunting in the park was supplied to the bishop's kitchen.¹⁶ Unfortunately the roll only covers the period from 2 November 1337 to 5 December 1337 and from 29 December of the same year to 5 January 1338 when the Bishop was resident in Somerset and 13 February to 9 March 1338 when he was either in London or Dogmersfield in Hampshire. Thus the roll provides no evidence from the main hunting season for harts and bucks which ran from June to September and it is only of limited value for the main hunting season for hinds and does which ran from late November to February. Lent in 1338 had started by 25 February so the last entries show no meat of any kind. The first mention of Westbury venison comes on 25 November 1337 when one beast from Westbury was sent to the Bishop's kitchen. Another half a beast was sent on 30 November and this time it was a doe in season. The 25 November entry also mentions hunting in the park. On one occasion in December 1321, Bishop Drovensford was in Westbury particularly to settle a dispute between the vicar and the parker. The vicar Geoffrey de Bidputte had taken Richard the parker's daughter Juliana as his concubine and was refusing to provide a suitable marriage for her. Interestingly this visit coincided with the hunting season so the bishop might have indulged in the pleasures of the chase while he was in the village.¹⁷ From this very limited evidence it is clear that Westbury park did provide a luxury meat for the bishop's table. Venison, from predominantly fallow deer, was not sold legally on the open market and "a haunch of venison was a gift money could not buy."¹⁸

The presence of a lodge in the park is a sign of active management of deer. Lodges were not hunting lodges but were usually a base from which the parker could ensure that the does and the young fawns were safe during the fence month - the first 30 days of the young fawn's life. Lodges were also used as lookout posts to detect poachers and as storehouses for hay and browse-wood to sustain the deer in the winter. Westbury Park had its lodge situated on the highest ground in the park near its centre on what is now called Lodge Hill. From the existing surface remains the lodge appears to be a rectangular stone building eight metres by five facing south-east and was surrounded by a rectangular enclosure. The lodge also overlooks the main drove road through the park linking the village to the moorland pastures. Below it on the hillside are a series of enclosures which may have been closes of pasture to be

leased out or areas reserved to provide extra grazing for the deer. The vigilance of the parker is shown in the apprehension of Sir William Shepton a vicar of Wells cathedral who lived in Byestewall St (modern St Thomas St) and Michael de Walhop for trespass and offences in the park. Shepton was ordered by the Bishop's commissary John de Middleton to hold a lighted candle consisting of one pound of wax in the beginning of the mass of the Blessed Virgin and offer the candle to the priest celebrating mass. He was also ordered to abstain from wearing his habit for three months. Walhop, a layman, was dealt with more severely by the same official having to provide a lighted candle for the masses in the chapel of the Blessed Virgin in Wells Cathedral daily for the rest of his life.¹⁹

As has been suggested deer were not the only produce of the park. Timber was also very important and the eastern end of the park was might have been used solely for this purpose. Large timber taken from standard un-coppiced trees such as oaks was taken from trees throughout the park. Oaks were usually allowed to mature for about 70 years, they were then cut down and sawn or split into major timbers to be used in building work. In the lease of the Manor House at Wookey granted to Thomas Clerke in 1544 large timber which might be needed for repairs to the house was to be provided from Westbury Park.²⁰ Wood from coppiced and pollarded trees known as underwood was also sent from the park to heat the Bishop's Palace in Wells and generally sold. In 1463 the Westbury bailiff informed the manor court that he had sold a wagon load of thorn wood (either holly or blackthorn) from the park. Sales of wood were a significant element in the income derived from the manor of Westbury: £7 9s in 1527 against a rent total in 1555 of £39 14 8d.²¹ The name Gooseland suggests that the breeding of semi-domesticated geese may have been another important lucrative activity. Land inside the park was also rented out from at least the 15th century. In 1439/40, William Gye, the escheator of the Dean and Chapter of Wells paid the Bishop rent for a close of land in Westbury Park, probably used for fattening cattle. There was also probably a windmill in the park. It could have been situated on what is now called Windmill Hill and aerial photography suggests that there is a possible site for a post mill on the summit of the hill. Unfortunately documentary evidence for its existence is at present lacking. A windmill would have been a useful addition to the sources of power in the village as there are only two streams in Westbury with sufficient water to drive a water mill, those in Old Ditch and Hollybrook both of which are rather small. The possibility of a windmill in the park suggests even more strongly that Westbury park was divided into two distinct sections.

The end of Westbury Park came in the mid sixteenth century. The onset of the Reformation meant that the Crown took a close interest in the income of the church and consequently between 1540 and 1560 two thirds of the bishop's land was acquired by the Crown thus grievously impairing the bishop's income. He now needed to make his land as profitable as possible and a park, despite the current high timber prices, was clearly unprofitable. Also the loss of many of his manors meant that the tenants were no longer available to maintain over four miles of boundary. The only solution was to lease out the park. The last keeper or parker was probably Thomas Clerke of Wookey, brother of Bishop Clerke who died in March 1555. At this time George Rodney [d 1586] was holding land in Westbury and it was probably to him and to some Bristol merchants that the park was leased out around 1560.²² Soon after George's death, his son John Rodney in 1590 purchased a 120 year lease of two thirds of the park from Bishop Godwin.

There is no evidence for when the park was divided into fields but some sections of the park had already been divided up into closes in the 15th century. However the first map of the park dated 1759 shows it to be divided up into 65 fields with between 25 and 30

occupiers. The area of the hunting park again reverted wholly to agricultural use, mostly pasture and meadow and provided a welcome addition to the land available for agriculture at a time of rapidly rising population in the 16th century.

¹ James Bond, *Forests, Chases, Warrens and Parks in Medieval Wessex* in Michael Aston and Carenza Lewis, *The Medieval Landscape of Wessex*, (Oxbow Monograph 46, 1994), p. 137.

² H.M.C., *Calendar of the Manuscripts of the Dean and Chapter of Wells*, Vol 1, p. 439.

³ *Collectanea i.*, Somerset Record Society, Vol 39, 1924, p. 61.

Robert W. Dunning, *The Bishop's Palace*, in L.S. Colchester, (Editor), *Wells Cathedral, A History*, Open Books, 1982, p. 228.

⁴ Frances M. Ramsey, (Editor), *English Episcopal Acta, X : Bath And Wells 1061 - 1205*, Oxford 1995, pp. xl/xli.

⁵ Joan Hasler & Brian Luker, *The Parish of Wookey, A New History*, 1997, p 21.

⁶ Bond, *Forests etc*, pp. 134/5.

⁷ See map; Barry Lane, *Gooseland, Westbury-sub-Mendip*, unpublished paper, 1999.

⁸ Somerset Record Society, *Feet of Fines, 1196 - 1307*, Vol 6, 1892, p. 34, no. 20.

⁹ *Royal Mss. Rot. Reg. 14. B. XXXVII*, British Library.

¹⁰ H.M.C. *Wells 1*, p. 78.

¹¹ See map.

¹² H.M.C. *Wells 1*, p. 104.

¹³ H.M.C. *Wells 1*, p. 99.

¹⁴ Somerset Record Office, *DD/CC 131911 a/8 chapter*.

¹⁵ S.R.S., Vol 13, no 53; S.R.S., Vol 49, Part 1, no 319; Grenville Astill & Annie Grant (editors) *The Countryside of Medieval England*, 1988, p.132.

¹⁶ *Collectanea I.* pp. 85 - 165.

¹⁷ S.R.S., Vol 1, p. 166.

¹⁸ Oliver Rackham, *The History of the Countryside*, Dent, 1986, p 125.

¹⁹ J. Birrel, *Deer and Deer Farming in Medieval England*, in *Agricultural History Review*, 40. ii, 1992, pp. 112 - 126; *ST 49254813*; *Somerset Sites and Monuments Record 24860*; S.R.S. Vol 9, 1892, p 447(1663,1664).

²⁰ S.R.S., Vol 83, 1995, p.2.

²¹ P. M. Hembry, *The Bishops of Bath and Wells, 1540 - 1640: Social and Economic Problems*, University of London Historical Studies, 20, 1967, pp. 16/17.

²² *Sir Edward Rodney's account of his family*, S.R.O. DD/TB Bx 20/1 C/1094.

GLOSSARY

Fardel: a land holding equivalent to 10 acres.

Furlong: the area of a rectangular block of strips.

Message: house with the ground around it.

Overland: a west country term for a land holding which had no rights of common.

Pannage: a payment made by tenants to their lord for the right to pasture their pigs in the lord's woods.

Papal bull: edict issued by the Pope.

Strip or selion: a long narrow cultivated piece of land in an open field consisting of a ridge with a furrow on either side.

Virgate: 15-60 acres of land depending on the quality of the land. In Westbury a virgate normally meant 60 acres.

Yeatmead: the meadow near the gate. (Old English geat = gate or gap)

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