

<p>Institution: Lancaster University</p>
<p>Unit of Assessment: 30 History</p>
<p>Title of case study: Common Land Past and Present: historical research and contemporary debates on the sustainable use of commons in England and Wales</p>
<p>1. Summary of the impact</p> <p>Research at Lancaster has reconstructed the governance systems on common land since the medieval period, informing stakeholders and the wider public about the history of the 554,000ha of surviving commons, mostly in upland terrains in England and Wales treasured for their natural beauty and heritage. By engaging with contemporary users of commons through the Foundation for Common Land, The National Trust, and local commoners' groups, the research has enabled hill farmers to reclaim a sense of ownership over their commons, enhancing the cultural life of upland communities and informing debates about conservation and sustainable use of common land in the shifting legal landscape following the Commons Act 2006.</p>
<p>2. Underpinning research</p> <p>The research, carried out in Research Groupings A–C, was led by Angus Winchester, whose work since 1997 has concentrated on agrarian self-regulation by local communities in upland Britain c.1300-1800. His book, <i>The Harvest of the Hills</i> (reference 1), recaptured the lost culture of environmental management in hill farming communities and raised awareness of the history of upland, pastoral farming in a scholarly field previously dominated by an emphasis on lowland, arable regions. The work has focused particularly on the role of local manorial courts in managing the exploitation of shared resources on common land. Eleanor Straughton, ESRC-funded doctoral student (2000–04), and research associate on two AHRC-funded projects (2007–10, 2012–13), applied a similar approach to the modern period, tracing the evolution of governance systems on common land into the 20th century, after the manorial courts declined (reference 2).</p> <p>Winchester (as Co-Investigator) and Straughton (as Research Assistant) collaborated with Newcastle Law School on the AHRC-funded 'Contested Common Land' project (2007–10) and the related AHRC-funded knowledge transfer project 'Building Commons Knowledge' (2012–13), both of which extended the geographical scope of the research to cover the history of commons across England and Wales. Contemporaneously, several doctoral students in the department have worked on the history of common land, including William Shannon (Lancashire, PhD 2009), James Bowen (Shropshire, PhD 2013), and Frances Kerner (Buckinghamshire, ongoing).</p> <p>The wider context of this research lies in the increasing appreciation worldwide of traditional forms of common pool resources, in rural communities in particular, where enduring systems of self-regulation have been devised. The research carried out in the department has extended the study of self-regulation to the British context, and has investigated the interplay between local institutions and customs, and wider legal regulations and norms. The 'Contested Common Land' project, co-directed by Winchester, took a long-term historical approach to analyse changing perceptions of the British environment since the 17th century, with particular reference to common property, law, and land management. The project's findings demonstrated the persistence of custom to the present day, and its relation to property rights and statute law, highlighting the significance of local variety in customary culture, leading to regional differentiation across England and Wales. The project monograph (reference 4) was endorsed by the late Elinor Ostrom, the world authority on common pool resources, who highlighted the project's contribution in showing how 'institutions that evolved over time can change ownership rights and duties in unexpected ways' and stressed the importance of historical studies of commons. The project made a significant contribution to understanding the role of local farming systems – past and present – in creating the distinctive character of the highly-valued landscapes of common land.</p> <p>The impact detailed below springs directly from the insights of the research undertaken in the department in the course of fifteen years. The Contested Common Land project and its successor knowledge transfer project, 'Building Commons Knowledge', in particular, were conceived as interactive and collaborative from the very outset, aiming to use academic expertise in History and</p>

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Law from the medieval to the modern period in the service of community interests and the environment.

3. References to the research

1. **2000** A. J. L. Winchester, *The Harvest of the Hills: Rural Life in Northern England and the Scottish Borders, 1400-1700*, Edinburgh: Edinburgh University Press, 2000. '... a superbly documented, searching study that will surely become a classic. ... a landmark in guiding us to understand the history of pastoral England.' (Joan Thirsk in *Economic History Review* LIV (4). Copy available on request.
2. **2008** E. A. Straughton, *Common Grazing in the Northern English Uplands, 1800–1965: A History of National Policy and Local Practice with Special Attention to the Case of Cumbria*, Lampeter & Lewiston: Edwin Mellen, 2008. '... an engaging and original book which should be read by anyone with an interest in the history of common property' (Paul Warde in *Rural History* 22 (1). Copy available on request.
3. **2010** A. J. L. Winchester and E. A. Straughton, 'Stints and sustainability: Managing Stock Levels on Common Land in England, c.1600-2006', *Agricultural History Review*, 58 (1) (2010), 29–47, in REF2014
4. **2011** C. P. Rodgers, E. A. Straughton, A. J. L. Winchester and M. Pieraccini, *Contested Common Land: Environmental Governance, Past and Present*, London: Earthscan, 2011, in REF2014

The research was supported by the following competitive research grants:

1. Leverhulme Research Fellowship for work on *Environmental history of Upland Commons* (Ref: RF&G/3/980008) awarded to Dr A. J. L. Winchester. Value: £8,784. Period of grant: 12 months, 1998–9
2. AHRC Landscape & Environment Programme Large Research Project: 'Contested Common Land: Environmental Governance, Law and Sustainable Land Management c. 1600–2006' (Award ref: AH/E510310/1), awarded to Professor C. P. Rodgers (Newcastle Law School, PI), Dr A. J. L. Winchester (Co-I) and Dr P. Olivier (Institute for Informatics, Newcastle University, Co-I). Value: £263,007. Period of grant: 1 February 2007–31 January 2010 (extended to 31 May 2010)
3. AHRC Follow-On Funding Scheme: 'Building Commons Knowledge' Project (Award ref: AH/J013951/1), awarded to Professor C. P. Rodgers (Newcastle Law School, PI), Professor A. J. L. Winchester (Co-I). Value: £93,572. Period of grant: 1 July 2012–30 June 2013

4. Details of the impact

Recent years have witnessed a resurgence of public interest in common land, often (erroneously) thought to be land belonging to everyone, at a time when the environmental value of traditional forms of land use is increasingly appreciated. The department's work on common land has contributed to the growing public interest in commons by placing modern perceptions in historical context. Its significance and reach are indicated by the AHRC's decision to select the Contested Common Land project as one of four impact case studies from research grants made under the Landscape & Environment Programme and to use it to illustrate the wider value of humanities research. Writing in *The Public Value of the Humanities* (ed. Jonathan Bate, 2011), Stephen Daniels and Ben Cowell described the research as having 'helped reconstruct the collective memory of common land ... As well as informing and improving the governance of commons the project has enhanced wider scholarly understanding and public awareness' (**source 1**). As this suggests, the research has had impact in two main areas: **i)** enhancing public awareness; **ii)** informing contemporary debates on the governance of commons.

i). Enhancing public awareness of the culture of common land in England and Wales. This impact has been achieved in the following ways:

- *The Harvest of the Hills*, nominated by readers of *The Guardian* (30 July 2005) as a 'great classic of British nature writing', has served as an awareness-raising study, highlighting the distinctive hill farming culture of northern England, as can be seen from its citations in websites as diverse as those of Cross Fell Commoners' Association, Moniaive Community Action Project, the Cumbria Hill Farming website, Yorkshire Dales National Park Authority's 'Out of

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Oblivion' pages and English Heritage's 'Introductions to Heritage Assets' pages.

- The Contested Common Land project website (<http://commons.ncl.ac.uk/>) has become a valued national resource in its own right, praised by Natural England: 'the amateur with an interest in the history of the local common ... will find much there to inspire and guide research' (**source 2**).
- Talks to local history and archaeological societies since 2008, namely Eskdale Local History Society, Ingleborough Archaeology Group, Middleham & Dales Local History Group, Caldbeck Local History Society (audiences of c.30 at each), Upper Wharfedale Field Society (80) and Hexham Local History Society (70), and to larger audiences of interested public and other stakeholders at study days organised by the Centre for North West Regional Studies (Lancaster, February 2009; attendance 82) and Yorkshire Dales National Park Authority (Grassington, April 2010; attendance c.180), have reached a total audience of over 500 (**source 3**). These meetings were used to impart knowledge and share experience concerning traditional land-use systems, thereby further raising awareness of past and present practices.
- In the Chilterns, Frances Kerner, a doctoral student, worked with the Chiltern Conservation Board in 2012–13 to engage Year 4 primary school children in studying the past and future of common land in West Wycombe, Bucks. (**source 4**).

As part of the Building Commons Knowledge project in 2012–13, the department devised a dedicated online 'toolkit' and ran a series of workshops across England and Wales for commoners and other members of the public, designed to encourage grassroots research into the history of commons, particularly by capturing communal memory and oral testimony throughout the 20th century. The resulting 'Commons Stories', the fruits of this community-generated knowledge, are posted on the project website (http://commons.ncl.ac.uk/?page_id=597). Local activity in capturing 'Commons Stories' has fostered community cohesion by involving different elements of the community in reclaiming a sense of communal 'ownership' of common land. Pat Garside, chair of the local history society at Bampton, Cumbria, confirmed that the 'formulation of the ... project and the provision of the 'toolkit' meant that farmers, commoners and local historians could collaborate in a structured way ... and together produce a greater understanding of the issues involved in the use and management of common land. ... the Commons project has established and reinforced social links in a very positive way'. (**sources 5 and 6**)

The cumulative impact of all these activities has raised the public awareness of the culture of common land in England and Wales, its environmental value, and its importance in the cultural heritage, particularly in the uplands.

ii) Stakeholder engagement, informing debates surrounding the governance of common land today. By stressing local diversity in the history of management systems, the research has highlighted the relevance of past experience when devising current and future management strategies. The Contested Common Land project not only informed the public of the living heritage of traditional hill farming culture but demonstrated to stakeholders its continuing relevance in managing common land. For example, the research analysed a set of byelaws from Eskdale, Cumbria, dating from 1587, which continued to govern the use of the common until the late 20th century. Even after the Commons Registration Act 1965, one of the first decisions of the newly-founded Eskdale Commoners' Association was to obtain a copy of the 1587 byelaws. As Daniels and Cowell commented, 'The project has effectively reintroduced this text to the commoner community as a whole, as part of the initiative to restore flexibility and local custom in the governance of Eskdale Common, and to address the new requirements of environmental law; a sustainable text for a sustainable landscape' (**source 1**).

This impact has been achieved through the following channels:

- Two symposia held in Lancaster and Newcastle, bringing together academics, policy makers and practitioners with c.20 invited participants at each, including representatives of DEFRA, Natural England, Countryside Council for Wales, Scottish Crofting Federation, Association of Commons Registration Officers, and Federation of Cumbrian Commoners. Commenting on the symposia, Gwyn Jones of the European Forum on Nature Conservation & Pastoralism noted that 'socio-economic and policy discussions are rather emasculated without a strong feel

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for the history of land management', while Graham Bathe of Natural England described the Lancaster symposium as 'a highly stimulating event ... particularly inspiring that old and ancient systems can have lessons for us today'. (**sources 7 and 8**)

- Four stakeholder workshops, attracting over 100 people in total, held in each of the four 'Contested Common Land' case study areas. These allowed direct engagement with local stakeholders, including commoners, land managers, government agencies and voluntary organisations.

The value of the research to external users has been demonstrated by the approach made by the Foundation for Common Land (the national body representing commoners' associations in England and Wales) to the department to assist in furthering its strategic objectives, including in particular: **a)** increasing information exchange and discussion between commoners in different parts of England and Wales through structured channels; **b)** creating a reliable evidence base for common land and **c)** developing new channels of communication to disseminate information about common land to a wider public (**source 9**). This approach led to the successful bid for a knowledge transfer grant, 'Building Commons Knowledge', awarded by the AHRC for 2012–13. That project culminated in a major national conference in July 2013 entitled 'Sustaining the Commons'. Attended by over 70 delegates, the conference was tailored to public bodies and stakeholders involved in the management and protection of common land in England and Wales and provided an opportunity for the department to present the findings of the 'Commons Stories' initiative, informing policy makers and practitioners how changing land use and management practices have altered the face of common land across the 20th century. The impact of the department's research has been to deepen an understanding of the processes of change in the past to enable stakeholders to make informed decisions on sustainable management for the future.

The significance and reach of the impact are illustrated by further invitations to the researchers to engage with the work of external bodies on the future management of common land. Winchester has been invited to serve as an 'elder' in the Foundation for Common Land. He and Straughton have contributed to: Natural England's 'Commons Toolkit' publication; a Surrey County Council Countryside project (**source 10**); the Lake District's World Heritage Site inscription process (round-table discussion on ecosystem services in the Lake District); and a fact-finding visit by 22 representatives of the Irish government and NGOs in 2012. In short, a significant and growing constituency now benefits from the department's research as the national centre of excellence for the study of the history of common land.

5. Sources to corroborate the impact

1. Stephen Daniels and Ben Cowell, 'Living Landscapes' in Jonathan Bate (ed.), *The Public Value of the Humanities* (Bloomsbury Academic, 2011). Available online at http://www.bloomsburyacademic.com/view/PublicValueHumanities_9781849662451/chapter-ba-9781849662451-chapter-0008.xml (available free on signing in)
2. *Stimulating Action on Local Commons (NE296)* (Natural England, 2010), Commons Factsheet No. 02 'Exploring our Common's Past', p. 6. Available online from: <http://publications.naturalengland.org.uk/publication/115021>
3. List of talks to local history and archaeological groups on history of common land, 2008-2012
4. Brief for work with primary schools as part of Chilterns Commons Project
5. Bampton & District Local History Society, 'Bampton Commons Community History project 2012-13'. Available online at <http://commons.ncl.ac.uk/wp-content/uploads/2013/06/Bampton-Commons-Community-History-Project-Report.pdf>
6. Email from Chair, Bampton & District Local History Society (21 June 2013)
7. Email from Common Land Major Project Manager, Natural England (15 Sept 2008)
8. Email from European Forum on Nature Conservation & Pastoralism (8 Sept 2009)
9. Letter from Chair, Foundation for Common Land (10 Dec 2011)
10. Email from Senior Countryside Project Development Officer, Surrey County Council (23 Sept 2011)