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Project Purley

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Summary

An article written by John Chapman as part of the historical account of Purley on Thames. It summarises the several authorities which controlled and regulated use of the River Thames.

The River Thames - Regulatory Authorities

Mediaeval Administration

Technically control over the river was a Royal Prerogative, however in practice control was exercised by local landowners, especially by those who owned or controlled a mill. Where Royal control was sought it was generally exercised by means of Letters Patent. This had been clearly established in Magna Carta where it declared that "all public rivers were the king's highway and as such free for all his subjects" it went on to forbid putting into these rivers any kiddles, weirs and other things for fishing purposes as these were recognised as public nuisances. (445-157)

In order to obtain a good head of water to run his mill the miller would construct a weir across the river and divert a portion of the flow down a channel (the mill race) through his waterwheel and down to the lower level. Obviously this constituted an obstruction to barge traffic and so every so often the miller would be required to remove part of the weir to allow barges to pass.

Going downstream was not much of a problem as the barge master could steer through the gap and the flow of water would carry him through. Going upstream was a different matter entirely. In some cases the barge could simply be towed through against the stream using horses but generally this was not enough so windlasses were built into one bank and horses or manpower used to turn the windlass and slowly haul the barge upstream.

An immense amount of water would be lost to the mill by this process which was known as "flashing" and it could take several days for enough water to be collected to run the mill again. To compensate for this loss the millers were gradually to assume the right to

levy a toll for the passage. Naturally this caused great resentment on the part of the bargemen and there was usually a state of undeclared war between them and the millers.

Further obstructions were caused by fishermen who used to erect nets and baskets across the river to catch fish and eels.

In 1350 however Parliament passed its first Act to ensure free passage and set up Special Commissions to enforce it. These were usually only local affairs however and tended to be dominated by local landowners who of course were also the mill owners.

One dispute of local interest was that between Sir Thomas Huscarle and the Lord of Mapledurham in 1366 when Sir Thomas was accused of diverting water to irrigate his land

A special enquiry into weirs and other obstructions was held in 1379. (ref 81). This was followed up in 1391 with a Special Commission upon which sat Thomas Barentyne who was related by marriage to the Lords of the Manor of Purley Parva. He was deputed to seek out the names of those who had recovered nets and other obstructions which had been seized by the Commissioners. (ref 43-29)

In 1472 the shipping interests got a bill through Parliament to require all obstructions to be removed from rivers but this was generally ignored by the landowners who were also the Commissioners charged with the job of enforcing it. (ref 445-158)

In order to ensure that navigation of the river, especially to Oxford, was protected an Act of 1489 gave jurisdiction of the whole river to the Lord Mayor of London and in 1535 he imposed a fine of 5 on anyone committing an obstruction. Again this had little effect upon the situation although some progress was made to keep traffic flowing.

A report by Bishop dated 1580 set out a list of the locks and weirs on the Thames which were described as "noysome and daungerous" One was Mapledurham Lock owned by Mr William Blount (of Mapledurham) and kept by Robert Byrde. five years later in 1595 the list was revised and Michael Blunt was shown as the owner and Robert Blunt as the keeper.(ref 43)

Things got so bad that finally Parliament was forced to intervene once more and in 1694 an Act was passed "to prevent exactions of the occupiers of locks and wears ... and for ascertaining the rates of watercarriage" This empowered Justices of the Peace of adjacent counties to fix tolls for passing locks, to settle the rates of carriage of goods and to make regulations governing the conduct of river users. (ref 43, 445-178)

This Act expired in 1703 and the mill owners soon re-established their control and extortionate demands. A further Act of 1729 re-established the provisions of the 1694 Act for a further 9 years to 1738 when the same thing happened all over again. (ref 445-179)

A further Act of 1751 set up a permanent authority to watch over the interests of navigation westward of Staines. It was made up of every land owner who possessed landed estate of 100 or more in the seven adjacent counties, which totalled over 600 persons. (ref 43)

This body met at the Town Hall in Reading on 1st July 1751 and re-affirmed orders and constitutions made by earlier commissioners in 1730. They required that these be displayed with a copy of the Act at all riverside market places. (ref 43)

The Thames Commissioners

The Thames Commissioners were formed by an Act of 1771 and this time they were given some real teeth and an ability to improve locks. This followed a petition to Parliament in 1770 by the Commissioners which noted that at certain times of the year the river from London to Cricklade was impassible because of the locks and weirs and a shortage of water. They were forced to pay a tax of 6d per Chaldron on all coal transported and they could get no benefit from this tax. (ref 445-378)

In July 1784 they approached the City for financial assistance in constructing and improving locks and other aids to navigation. Previously money had been raised against future tolls but this time a charge was made upon coal dues of which 15,000 was to be spent upon improving the river between Mapledurham and Oxford which had previously not had any strong commission to protect it. It was further envisaged that gradually they would buy up all the locks, towpaths and rights to tolls to make the river completely toll free. However this latter proposal never came to anything. (ref 43-142)

One considerable achievement was the establishment of a timetable for flashes down the river. In this way a considerable amount of water could be saved as the same water was used in turn. Two flashes a week were provided. The first started at St John's on Sunday at 2pm, reaching Mapledurham on Wednesday at 7.30 am. The second started at 5pm on Wednesday and reached Mapledurham on Saturday at 10.30 am. Unfortunately one boat could not follow the flash downstream and often had to wait two or three days for the next one to come along. (ref 43, 445-380)

Around 1790 a proposal for a canal east of Reading was put forwards as was another proposal to deepen the river to a standard depth of ten to 15 feet. But these proposals although much supported, were not taken up by the powers that be. (ref 445-380)

The years 1793-5 saw a great debate on the future of the Thames. One camp wanted to improve navigation using the old channel and the other advocated building canals to bypass the Thames. (ref 445-383)

The Commissioners spent a great deal of time and effort opposing the Great Western Railway Bill in 1833. They claimed that they had over the years spent over 225,000

improving the Thames and if the railway went ahead they would be unable to repay their debts and the river would become silted up. In fact 1832 saw them achieve their highest ever traffic receipts of 13,169 so they correctly anticipated what the competition from the railway would do to them. Tolls were reduced 20% in 1844 in an effort to combat the competition but to little avail. By 1857 revenues had fallen to £1400 (ref 43, 139, 445-560)

1850 saw the introduction of steam driven barges, thus offering the possibility of doing away with the need for horses and tow paths. They were restricted to 4 mph with the stream and 3mph against. (ref 43)

The Thames Conservancy

The Thames Conservancy was formed in 1866 following an Act of 1857. This replaced the old Thames Commissioners who had effectively gone broke as a result of railway competition. The new body's priorities were quite different from that of the Commissioners as their first duty was to the river rather than to ensure the rights of navigation. They were instructed to also care for the Thames from Staines to the sea, so depriving the City of London of many of its ancient privileges.

However in 1909 the Port of London Authority was formed to look after the tidal Thames from Teddington Lock. At the same time local authorities were given official representation on the Conservancy (ref 139)

The Thames Water Authority

The Local Government Act of 1972 removed the duty to supply water and remove sewage from Local Authorities. These duties were laid at the feet of a new organisation, The Water Authority whose territories were defined by river drainage areas. Because of the obvious association therefore with rivers, the work of the Thames Conservancy was also transferred to the new body which was formed to serve the Thames basin.

With far greater resources to draw upon the new Authority began spending huge sums of money on the river and its locks. Mapledurham Lock was rebuilt and completely refurbished and considerable sums were expended in cracking the flooding problems.

The National Rivers Authority

When it came to privatise the Water Authorities in 1989 the Government realised that they needed a separate regulatory Authority to oversee standards and to protect the interests of the river in the way the former Thames Conservancy had done for the Thames. They therefore established the National Rivers Authority which took on the

regulatory role and extended the idea of River Conservation to all the rivers of England and Wales. The Thames therefore came under the jurisdiction of the Thames Region of this new Authority.

Over the following few years the National Rivers Authority was replaced by The Environment Agency and this later was absorbed into Natural England

Bibliography

43 The Thames Highway (Thacker 1920)

81 Chancery Miscellaneous Bundles (PRO)

87 The Thames and its story (Cassel)

139 Thames Navigation Records

294 The Thames (Mortimer Menpes 1906)

302 The Historic Thames (Belloc 1914)

445 The Development of Transportation in Modern England (W T Jackson 1916)

457 Dictionary of the Thames (Dickens 1885)